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ABSTRACT

This special theme issue of the newly titled "Civil Rights Journal" (previously titled "Perspectives"), commemorates the 40th anniversary of the U.S. Commission on Civil Rights by presenting a written symposium that offers a wide range of perspectives on civil rights realities and the future of civil rights. Three context-setting articles introduce brief viewpoint essays by a number of leaders and contributors in the field of civil rights. The first, "The Civil Rights Commission: The First 40 Years" by Hugh David Graham, traces the history of the U.S. Commission on Civil Rights. The second, "A Task that Remains: Racial Reconciliation" by C. Eric Lincoln, links key aspects of the civil rights movement to current developments, and the third, "Civil Rights and the Sacred Truth" by Rabbi Marc Gellman focuses on the moral dimensions of civil rights. The symposium then presents the views of 28 leaders of the civil rights movement about what they consider to be the most pressing problems in the nation. These statements are followed by short essays by 30 scholars, journalists, and literary figures on how current civil rights conflicts are shaping the directions of intergroup relations in the United States. An editorial by Wayne Greenshaw, "Turning Point: Selma," comments on the career of civil rights leader John Lewis. (SLD)

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JOURNAL

U. S. COMMISSION ON CIVIL RIGHTS'

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The Road Ahead for Civil Rights

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U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights is an independent, bipartisan agency first established by Congress in 1957 and reestablished in 1983. It is directed to:

•Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, disability, or national origin, or by reason of fraudulent practices;

•Study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

•Appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

•Serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin;

•Submit reports, findings, and recommendations to the President and Congress;

•Issue public service announcements to discourage discrimination or denial of equal protection of the laws.

In furtherance of its fact-finding duties, the Commission may hold hearings and issue subpoenas (within the State in which the hearing is being held and within a 100-mile radius of the site) for the production of documents and the attendance of witnesses.

The Commission consults with representatives of Federal, State, and local governments, and private organizations.

Since the Commission lacks enforcement powers that would enable it to apply specific remedies in individual cases, it refers the many complaints it receives to the appropriate Federal, State, or local government agency, or private organization for action.

The Commission is composed of eight Commissioners: four appointed by the President and four by Congress. Not more than four of the members can be of the same political party. From among the Commission's members, the President designates the Chairperson and Vice Chairperson with the concurrence of a majority of the members.

Commissioners serve staggered terms of six years. No Senate confirmation is required. The President may remove a Commissioner only for neglect of duty or malfeasance in office.

Except in August, the Commissioners hold monthly meetings and convene several other times a year to conduct hearings, conferences, consultations, and briefings.

The Commission has 51 Advisory Committees—one for each State and the District of Columbia. Each is composed of citizens familiar with local and State civil rights issues. The members serve without compensation and assist the Commission with its fact-finding, investigative, and information dissemination functions. Members are nominated by Commissioners or the regional director for the area and voted on at a regular meeting of the Commission. The term of office is two years.

A full-time Staff Director oversees the day-to-day activities of the Commission, headquartered in Washington, DC. The Staff Director is appointed by the President with the concurrence of a majority of the Commission's members, and serves at the pleasure of the President. All Commission personnel are employed under Federal civil service regulations and job classification standards.

Each of the Commission's six regional offices coordinates the Commission's operations in its region and assists the State Advisory Committees in their activities. Regional offices are in Washington, Atlanta, Chicago, Kansas City, Denver, and Los Angeles.

The Commission's Robert S. Rankin Civil Rights Memorial Library is situated in Commission headquarters, 624 Ninth St., N.W., Washington, DC 20425.

The Commission and its State Advisory Committees have produced hundreds of reports and studies on national, regional, and local civil rights matters. Copies of these publications are available free to the public, as is a "Catalog of Publications," by request to the Publications Office, U.S. Commission on Civil Rights, 624 Ninth St., N.W., Room 600, Washington, DC 20425.

CIVIL RIGHTS

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CIVIL RIGHTS

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Fall 1997
Volume 2, Number 1

40th Anniversary
U.S. Commission on Civil Rights

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Editorial

Taking Stock

Although 40 years is a relatively short time in the life of a nation, particular spans of history can have profound consequences on the everyday lives of its citizens and how they view the future. The civil rights era beginning in the decade following World War II ushered in long overdue changes in how blacks and other disenfranchised people in the United States were treated. It also raised expectations about ending discrimination that have gone unfulfilled.

That is why, as an African American woman who has served on the U.S. Commission on Civil Rights since 1980, I look back on the Commission's 40-year history with a mixture of satisfaction and disappointment. Much has been accomplished in the way of securing civil rights for all, especially when one considers how unyielding so many of our elected leaders and their constituents were to that idea at the earliest stages of the civil rights movement.

For this continent's original inhabitants, for many who trace their family roots to the Nation's distant past, and for increasing numbers of recent immigrants, civil rights still have not been nurtured to full growth. For them, the ideal of equal opportunity remains elusive or, worse, an empty promise.

No one should have to live without full enjoyment of the rights protected by our Constitution and laws against discrimination based on race, color, religion, gender, age, disability, or national origin. That is part of a belief in the principle of equity that has bound us together as a people, despite what too often has been a gap between principle and practice.

Yet, in the late 1950s six million Americans whose skin was black were denied the right to vote. Living a segregated life they could not get served a soda in a drugstore of their choice, or use a public restroom of their choice, or swim at a public beach of their choice, or take whatever seat they chose on public transportation, or go to school with white children, or be buried in a cemetery where white people were buried. Hispanics, Native Americans, and other minorities also encountered discrimination throughout their lives.

Whatever prod our national leaders may always need to press ahead in combating discrimination in all of its forms can be found in a lesson arising from the sweep of history: where there is no progress in securing equality and equity, slippage intrudes as opposing forces better their footing.

Since the creation of the Commission in 1957, the agency has been both a watchdog and the Nation's moral conscience on civil rights matters. Its independent investigations and reports have had a substantial impact on the formulation of laws, Executive Orders, and Federal regulations prohibiting discrimination against vulnerable members of our society. A major example, noted in Hugh Davis Graham's article in this issue, was the Commission's historic role helping to formulate a Voting Rights Act of 1965 that had real teeth. Two others are Title VI of the Civil Rights Act of 1964 prohibiting discrimination in any federally assisted program, and the Fair Housing Act of 1968 prohibiting discrimination in the sale or rental of housing.

With the growing complexity and widening embrace of civil rights protections, there remains a need for independent studies containing factual findings and workable recommendations for battling bias and discrimination more effectively. Such credible reports can serve as guidebooks for national leaders charting a path among competing interests and philosophies. The Commission, in keeping with a tradition established over the decades, remains committed to investigating crucial civil rights problems and producing credible reports aimed at securing greater equality and justice for the people of this Nation.

Over the past six years this Commission and its State Advisory Committees have held numerous public hearings and forums that have documented the resurgence and divisiveness of racial and ethnic tensions in cities and rural areas of our Nation. My participation in such factfinding meetings has made clear to me that, despite important advances, racism in many guises still exists, as does religious, gender, age, and disability discrimination.

Still, we have it within our power to stop revisiting sins of the past upon the innocent children of America. As a historian I am acutely aware that civil rights intended to empower minorities, women, and other previously excluded groups are inextricably linked to our Nation's most deeply held values and distinctive past. United by a commitment to democratic principles and enlightened by reason, dedicated and caring Americans can make it possible for an increasingly diverse populace to live together in equality and tranquillity.

The promise of America as a land of opportunity and renewal is still a worthy goal, and it is well within our reach.

Mary Frances Berry
Chairperson

Turning Point: Selma

By Wayne Greenhaw

He was smaller than the others. Less than 5-feet-10, John Lewis was balding even at the age of 20, a wide-eyed Alabama farm youth fresh from the classrooms of the Institute of Nonviolent Resistance to Segregation. He had learned from James Lawson, the Student Nonviolent Coordinating Committee (SNCC) advisor in Nashville, where John Lewis was a student after his home-town school of Troy State College had turned him away because of his color. He had met with Dr. Martin Luther King, Jr., and Ralph Abernathy. He had listened to the nonviolent preachings of Myles Horton at the Highlander Folk School. Although he burned with a passion to right all wrongs, believing segregation to be among the worst of those wrongs, he became convinced that "I couldn't beat love into my strongest enemy."

Remembering, he said those words with a sardonic smile. Perhaps because of his own small size, he had stooped low to help the tiniest creatures on his family's farm: chicks that had recently cracked from eggshells, lifting them and saying prayers over them. Later, he told of his reverence toward those little animals, his voice shaking as he spoke.

While a student at American Baptist Theological Seminary, John Lewis walked with a group of fellow students into downtown Nashville where at five-and-ten-cents stores "we took our seats in very orderly, peaceful fashion" at the lunch counters, prepared to sit all day long and even be arrested, if that was what it took.

For the young man who believed with great devotion every word and phrase he studied in the Holy Bible, all of his early reading and listening and even the long days of sitting at the five-and-dime counters led up to Freedom Day in Selma, AL, on October 8, 1963. "I believe [it] was a turning point in the civil rights movement," he later stated.

It was in Selma that Lewis and others would test the idea of one man, one vote, following the big

March on Washington and in the tense aftermath of the bombing of the Sixteenth Street Baptist Church in Birmingham that killed four little black girls. Selma, with a black majority population of which only 2.1 percent were registered to vote, became a nonviolent battleground.

"I will never forget that day," Lewis said. With hundreds of other blacks standing around the Dallas County courthouse, Lewis faced Sheriff Jim Clark and armed deputies who demanded the crowd disperse and go home. They silently refused.

The officers waded into them with billyclubs swinging. Lewis caught a blow across the side of his head before joining the arrested. In being carried away with blood streaming down his face, he called for those on the outside to continue the drive to register blacks to vote.

The city, led by Mayor Joe Smitherman, reacted to make it unlawful for more than three people to walk on a public sidewalk or stand together without written permission from the sheriff's office.

By March of 1965, after having been arrested on other occasions in Selma, John Lewis became one of a handful of SNCC leaders who joined Dr. King in the march from Selma to Montgomery to protest for voting rights.

On the south side of Edmund Pettus Bridge that spanned the Alabama River on U.S. 80 heading to Montgomery, marchers were met by state troopers and mounted deputies who gassed the group and beat them with nightsticks and bullwhips and cattle prods.

That Sunday evening the Nation watched as the lawmen beat and people screamed, and within days the demonstrators were given safe passage by Federal court order, and within weeks Congress passed the Voting Rights Act.

Thirty years later, U.S. Representative John Lewis held the hand of Mayor Joe Smitherman as they stepped together across the Edmund Pettus Bridge in a quiet but powerful show of unity.

As a Montgomery journalist, Wayne Greenhaw covered the civil rights movement in Alabama. Now Associate Publisher of Black Belt Publishing Co., Greenhaw is also the author of 14 books, the latest being "ALABAMA: History and Photo Album" and "MONTGOMERY: The Biography of a City."

THE ROAD AHEAD FOR CIVIL RIGHTS

A Symposium

A 1982 issue of Perspectives, as this journal was known at the time, celebrated the 25th anniversary of the Civil Rights Act of 1957 and the creation of the U.S. Commission on Civil Rights. The issue focused on the history and consequences of the civil rights movement, and included two articles, musings on the meaning of civil rights by nine writers, a selection of famous and infamous editorial cartoons of the movement era, and several departments, one identifying seminal books about civil rights. That issue of the journal published by this independent, bipartisan Federal agency was well received.

In planning this special issue of the newly titled Civil Rights Journal com-

memorating the 40th anniversary of the same Commission, the editors walked a tightrope. Certainly we wanted to avoid covering the same ground highlighted in those pages 15 years ago. Moreover, while noting some of the contributions that the Commission has made during the past 40 years we had to avoid being congratulatory and self serving. Planning also had to take into account budget constraints affecting all Commission programs and activities. Finally, to meet the agency's statutory and clearinghouse responsibilities, even a commemorative issue of the journal had to be about civil rights matters of undeniable importance to the American people; it had to be worth reading.

The symposium in this issue of the Civil Rights Journal reflects the increasing complexity and controversy over civil rights matters such as affirmative action. It offers a wide range of perspectives on civil rights realities and what they might bode for the future.

Three context-setting articles introduce the symposium, one by Vanderbilt University professor of history Hugh Davis Graham on the history of the U.S. Commission on Civil Rights, another by Duke University professor emeritus of religion and culture C. Eric Lincoln linking key aspects of the civil rights movement to current developments, and the third by Rabbi Marc Gellman of Temple Beth Torah in Melville, NY, focusing on the moral dimension of civil rights then, now, and in years to come.

The symposium continues on page 15 with 28 leaders of civil rights organizations and research centers sharing their views about what are the most pressing civil rights problems confronting the Nation today. These statements are followed by 30 short essays by scholars, journalists, and literary figures on how current civil rights conflicts are shaping directions that intergroup relations in the United States are likely to take in the foreseeable future.

What the issue lacks in illustrations we hope is more than compensated for by the depth and breadth of views presented in the symposium. We also hope, of course, that you enjoy our "Yesterday" department piece on Selma by longtime civil rights journalist Wayne Greenhaw on page 3 and our Books department beginning on page 55.

This issue of the Commission journal was conceived before President Clinton's call for a national dialogue on racial problems and his appointment of a race relations advisory board headed by historian John Hope Franklin. Even so, we trust that our symposium contributes to that dialogue and to the important work of the President's advisory board.

Charles R. Rivera
Editor

THE CIVIL RIGHTS COMMISSION: THE FIRST 40 YEARS

By Hugh Davis Graham

In 1957 President Eisenhower signed the first national civil rights law in 82 years. Coming just three years after the Supreme Court ruled school segregation unconstitutional in *Brown v. Topeka Board of Education*, and two years after Dr. Martin Luther King, Jr. won international attention leading the bus boycott against the all-white city government in Montgomery, AL, the new law created a mechanism for guaranteeing African American voting rights in the South. It also created the U.S. Commission on Civil Rights, a two-year advisory commission on civil rights issues. Veteran political observers knew that blue-ribbon advisory commissions came and went in Washington, usually with little follow-up or impact. What mattered were the action requirements of the new voting rights law.

This time, however, they were wrong. The voting rights law, geared to slow, expensive court procedures for registering voters, was a failure. So was a patched-up second attempt in 1960, and for the same reasons. The Civil Rights Commission, on the other hand, was renewed and became something of a giant-killer. Lacking authority to enforce civil rights laws, the Commission was limited to holding hearings, publishing reports, and issuing findings and policy recommendations. Yet within a decade the legal and political underpinnings of the South's elaborate "Jim Crow" caste system would be destroyed by the Civil Rights Act of 1964 and the Voting Rights Act of 1965, statutes whose theory and enforcement provisions the Commission heavily influenced.

The Commission's first decade coincided with the heroic era of the civil rights movement. The moral issues were posed with stark clarity: racist white governments in the southern states challenged by impoverished, disfranchised black citizens. The Commission, an independent, bipartisan body chaired during its first dozen years by John Hannah, President of Michigan State University, was effective in policy persuasion largely because it was not an enforcement or policymaking arm of government. In an era of Cold War competition and televised racial violence, the Commission appealed to the Nation's sense of fairness, to the American creed of equal rights for all. Commission reports won high visibility in the national media, where editorials reinforced Commission proposals for desegregating schools, enforcing voting rights, banning discrimination in employment.

The Commission in its first years concentrated on the denial of voting rights to African Americans. Holding hearings in the Deep South, the Commission used its single coercive

weapon, the authority to subpoena witnesses, to require testimony from recalcitrant local officials—including a county judge in Montgomery, George C. Wallace, who became the South's leading segregationist governor and ran for President in 1968. In 1959 and 1961 the Commission issued hard-hitting reports, demonstrating the failure of the voting rights laws and proposing the kind of direct Federal intervention in voter registration that made the Voting Rights Act of 1965 both radical and effective. Commission reports on employment discrimination and education helped shape the breakthrough Civil Rights Act of 1964, especially Title VII, establishing the Equal Employment Opportunity Commission (EEOC), and Title VI, prohibiting discrimination by businesses and state and local governments receiving Federal financial assistance.

Commission reports on housing segregation contributed to the Fair Housing Act of 1968. This law, the last of the great civil rights statutes of the 1960s, marked a transition in the civil rights movement and in the Commission's history as well. The urban riots of 1965-1968, which scorched major cities throughout the North and West but rarely occurred in the South, signaled a sea change in race relations. For southern blacks, the civil rights legislation of the mid-1960s had produced immediate benefits. But segregated stores, voting barriers, and whites-only jobs were not pressing issues for African Americans outside the South. On the other hand racial concentration in housing, less pressing in the rural South, was increasing in the urban North. The Fair Housing Act of 1968, while banning racial discrimination in the sale and rental of housing throughout the Nation, included no effective enforcement provisions.

Thus began the Commission's transition to a second phase. It was characterized by shifts from a regional to a national focus, from foundational antidiscrimination legislation to Federal enforcement efforts, and from a concentration on African American rights to claims from an expanding array of civil rights constituencies to similar protections and remedies. This transition coincided with a shift in the basic enforcement paradigm in civil rights policy, from prohibitions against discrimination on account of race, sex, national origin, and religion, to affirmative action requirements emphasizing proportional representation of protected classes in employment, admissions, and government contracts.

The shift from nondiscrimination to color-conscious remedies began in school desegregation. Between 1968 and 1971 the Federal courts, impatient with the slow pace of desegregation since Brown, began requiring southern school districts to accelerate integration by assigning pupils and staff on the basis of race. Paralleling this was a shift in executive branch remedies for past discrimination in employment. Labor Department officials in the Nixon administration required government contractors to develop a workforce reflecting the minority and gender makeup of the labor pool.

This enforcement trend led to the "disparate impact" model of equal opportunity, which emphasized proportionally equal results over equal treatment. It avoided the complexities of proving intentional discrimination, instead using statistics to demonstrate underutilization and thereby establish targets for remedy. By 1972 the disparate impact approach, criticized by opponents as racial quotas and "reverse discrimination," was adopted by the EEOC and approved by the Federal courts. The Commission, strongly supporting these initiatives, closely monitored their enforcement during 1970-1975 in a multivolume report on "Federal Civil Rights Enforcement Effort."

During the 1970s the Commission, chaired by the Rev. Theodore Hesburgh (1969-1972), President of Notre Dame University, and Arthur Flemming (1974-1982), appointed by President Ford, struggled with an agenda rapidly expanding in scope, complexity, and controversy. Newly mobilized social movements, seeing impressive gains in black civil rights, won protected-class status from Federal courts, executive agencies, and Congress. Newly covered groups included women, the physically and mentally handicapped, non-native speakers of English, the aged.

This expansion strengthened the Commission's support from the civil rights coalition, but also brought headaches. The Commission during the 1970s was hard pressed to cover the growing and sometimes conflicting agendas of the various groups regarding rights claims and enforcement attention. In the field of education, for example, tensions developed among African American leaders, feminists, and disability rights organizations over Office of Civil Rights enforcement priorities involving school desegregation, women's athletic opportunity, and access for the handicapped.

Also troubling the Commission: major national efforts on behalf of school desegregation and open housing during the 1970s lost momentum. School desegregation quickened in the South but worsened in the North, where in the early 1970s violence in Boston and a Supreme Court ruling against cross-district busing in Detroit frustrated integrationist hopes. During the late 1970s a drive in Congress to put teeth in the fair housing law, strongly pushed by the Commission, lobbied effectively by the Leadership Conference on Civil Rights, and supported by President Carter, passed the House in 1980. But it was blocked when Republicans won the White House and the Senate in the 1980 elections. Ronald Reagan's election marks a

third phase for the Commission, throwing it on the defensive.

The conservative movement, led by Reagan, attacked many of the measures the Commission had supported during the 1970s. Those included the Equal Rights Amendment, racial transportation of students across school district boundaries, mandatory native-language instruction in bilingual education, minority set-asides in government contracts, "comparable worth" pay standards in gender equity, "race norming" employment test scores, and minority preferences in higher education admissions (as in the controversial *Bakke* case). Conservatives criticized social engineering by Washington bureaucrats, whose agencies—including the Environmental Protection Agency, the EEOC, the Labor Department, education's Office for Civil Rights, and the Commission on Civil Rights as well—had allegedly been captured by feminists, black militants, abortionists, and other groups benefiting from government social regulation.

Capitalizing on growing white resentment of minority preference policies, President Reagan attempted to countercapture the offending Washington agencies, including the Commission on Civil Rights. In 1982 President Reagan replaced Commission Chairman Flemming, a white liberal Republican, with a black conservative Republican, Clarence Pendleton. Reagan's attempt to stack the Commission with conservatives angered not only the civil rights coalition, but also offended some conservative legislators who resented executive heavy-handedness with independent agencies established by Congress. The result was a testy standoff, ultimately resolved by a compromise that increased the Commission from six to eight members, four (including the chairperson) appointed by the President and four by Congress.

The 1980s were years of turmoil for the Commission. Its agenda showed greater ideological variety and a wider range of policy debate, but weaker programmatic coherence and less civility. Leaks to the media from warring factions damaged the Commission's prestige.

Yet despite the conservative counteroffensive, by the end of the Reagan-Bush regime there appeared to be more continuity than change in Federal civil rights policy. Congress in 1988 passed the Civil Rights Restoration Act over Reagan's veto. That same year Reagan signed a fair housing enforcement law that looked remarkably similar to the strong bill championed by the Commission in the Carter years. In 1990 President Bush signed the Americans With Disabilities Act, extending new protections to an estimated 43 million Americans. And the following year, Bush signed a civil rights law that greatly expanded protections and remedies available to women.

Not surprisingly, in light of the Commission's high-profile history during its first three decades, the agency's image in the unsettled 1990s has been blurred. This is partly because all government agencies have felt the sting of public cynicism. Furthermore, even agencies born in the excitement of reform and new expectations—TVA, the Peace Corps, the Civil Rights Commission, the EEOC—follow a maturing process wherein changed conditions require fresh vision.

By the 1990s the "rights revolution" had expanded the civil rights agenda to include claims by groups with increasingly diverse needs and experiences, including more than 15 million Hispanic and Asian immigrants, whose cultures of origin and economic progress in America varied widely, yet whose ancestry qualified them for protected-class status in the United States. These changes strained the coherence of a paradigm for harm and remedy rooted in African American slavery. Moreover, since 1989 a conservative majority on the Supreme Court has sharply narrowed the exercise of affirmative action remedies nourished by the Commission during the 1960s and 1970s. And a new generation of Americans has no memory of the epic struggles of the 1950s and 1960s.

These new circumstances, facing the Commission as it enters its fifth decade, arguably pose a greater challenge of leadership than the social convulsions of the 1960s. Even in the ideologically polarized climate of the 1990s, there is bipartisan consensus among elected officials that the Nation needs a strong Commission on Civil Rights. Ironically, the Commission's unusual statutory legacy—a temporary agency periodically renewed for 40 years—masks a deeper national self-awareness. In a constitutional democracy so economically dynamic and socially diverse, civil rights issues necessarily belong on the permanent agenda. How the Commission responds to this test of national leadership will help shape the 21st century.

Dr. Hugh Davis Graham is a professor of history at Vanderbilt University. He is the author of "The Civil Rights Era" and "The Uncertain Triumph."

A TASK THAT REMAINS: RACIAL RECONCILIATION

By C. Eric Lincoln

"Civil rights" are the legal endowments that accrue to, or are vested in, the individual person as a recognized member of a designated human community. Such a community is committed by consensus to the rule of law, protecting its members from excesses against one another to the end that creative development of the individual and of the community alike is not held hostage to security and other visceral needs, and the competition for scarce values is regulated and humanized.

Civil rights presuppose "human rights," of course. And human rights derive not from human investment, or human consensus, but from the fact of being human. They are intrinsic to human identity. They are inherent, and inalienable. Whether because "man" bears the image of God, or because homo sapiens is, at this writing, the superlative expression of an unfolding universe, human rights are an endowment of the species, and not of selected individuals.

It is critical at this point in our history that those distinctions be clearly understood. It was the protracted distortion and the abuse of human rights, and the willful obliviousness to the consequences of such behavior, which made the civil rights revolution of the '50s and '60s necessary at such a horrible cost to the Nation. Thinking man will not accept indefinitely conditions of existence that deny the intellectual and creative experiences by which human beings are defined. Sooner or later human self-awareness and the strain for human dignity reject the doubtful securities of accommodation to a plane that is less than human. Sooner or later the vision of freedom seeps through the harshest granite of repression and becomes the obsession that alone sustains survival. Such was the autobiography of the civil rights movement, a painful, heroic segment of American history we must not be called upon to repeat.

That movement is history, but the social traumas it sought to heal still linger. The old polarity between blacks and whites has now become multi-focal and cross-indexed. The many false starts toward the solution of this most persistent national dilemma have underestimated its virulence and its viciousness, and we have elected to cut-and-patch at the most obvious deterioration of the national commitment rather than invest in the true renovations dry rot demands. Moreover, we have deferred effective national attention to our racial discord, leaving it to bedevil some future generation while we buy time with public placebos and political rhetoric that do nothing to heal the place where it hurts. But the time we buy today will have to be paid for at premium prices tomorrow by the children we claim to love and protect by living on their credit and post-dating the bill.

It is getting late, and while we march at the head of the great nations of the world, toward the threshold of the 21*st* century, the cadence is offbeat and tentative, because our own house is in grave disorder. The quality of life in many of the countries we profess to lead is better

than it is at home for many Americans of whatever race. There is no longer "a chicken in every pot," but there are 16 locks on every door, and we are deathly afraid of one another. Soon there will be a prison on every other block—where the schoolhouse used to be. They will be run by a new class of private entrepreneurs created to service our ever-expanding system of human incarceration. Most of the schools they replace have already relocated to more enticing environments. Only those destined to become direct feeders for the voracious prison industry are left in place.

The world has changed more since World War II than it did in the preceding three centuries. We have changed with it, but our change has been more selective because we control more of the resources upon which change depends. Yet the quality of life for millions of Americans has not been improved—or it has deteriorated—and in consequence the index of social irritability is higher than ever before in our history. The new levels of anxiety and tension require a fresh approach for achieving the social change we must have to survive as a democratic society.

The ideal change, and the change most likely to endure, is reconciliation. It may also be the most painful, because reconciliation calls upon all parties to make real sacrifices rather than gestures of good will. Something has to give, and something has to be given by all parties, including some very cherished conventional notions about who is responsible, and for what. Effective racial reconciliation will require the sacrificial spirit of Abraham, the tenacity of Moses, the wisdom of Solomon, and the unshakable faith that being American is worth what it takes to save America.

The best strategy is to approach racism, not as a minority grievance, but as a national problem in which we are all implicated whether willfully, involuntarily, reluctantly, or by default. The issue was addressed as a minority grievance against America in the civil rights revolution of the '50s and '60s. That grievance grew out of an illegal national consensus to withhold arbitrarily from certain Americans a broad spectrum of civil rights and their endowments solely on the basis of race. The struggle in the streets backed by the struggle in the courts brought significant relief, but the national commitment languished long before it had accomplished its mandates, and reductionism now stalks the gains that were wrung from the talons of bigotry.

The grievance was addressed, but it was not resolved, and we must now identify, understand, and eliminate the vestiges of racial discrimination that remain. It is crucial to the national interest to do this because racial divisiveness wastes the human potential, endangers the public tranquility, compromises the national integrity, and burdens the economy of the Nation to the detriment of everyone.

We are no longer dealing with a factional grievance, but a national problem. A grievance presupposes an adversarial relationship. A problem recognizes the need for a solution that welcomes and requires a common commitment from all those affected by it, and all those who have a feeling for rectitude and reconciliation. Recrimination and vilification are not effective instruments of reconciliation, but there must be honesty in inquiry, candor in disclosure, integrity in reception, and resolute determination in attack, or we will fail again as we have so often failed before.

We cannot afford another aborted attempt to resolve the American dilemma. The social greening of America cannot be accomplished in a Nation divided by race. If we have such formidable problems being comfortable in sharing the national estate with the minority that labored to build it from the beginning, the prognosis for the public tranquility in a multicultural society is cautious, to say the least.

President Clinton has set the tone for honest inquiry by his appointment of the John Hope Franklin board. But the board can do no more than its mandate permits. The real work will have to be done by the people. It is we who will have to bite that bullet—all of us—if we want the bullet that is poisoning all of us to be removed.

Dr. C. Eric Lincoln is the William Rand Keenan, Jr. Professor of Religion and Culture (Emeritus) at Duke University. He is noted for his scholarly publications, and a novel and collected poems have also won acclaim. His latest book is "Coming Through the Fire: Surviving Race and Place in America."

CIVIL RIGHTS AND THE SACRED TRUTH

By Rabbi Marc Gellman

True healing comes not by knowing something you do not know now, but by believing something you do not believe now. It is not facts but beliefs that have the power to heal and change both ourselves and the world. If this is true, and I believe it to be true with all my soul, then the great challenge of moving forward the promise of civil rights is to be found not in some compelling facts that have yet to be quoted, but in some deep beliefs that have yet to be affirmed. Chief among them, I would suggest, is the belief that the core values of our culture are sacred, that they are rooted not in the largesse of the state, or the political expediency of the moment, but that they are sacred, holy, God-given, spiritual, religious—that they were not created by us but given to us as a blessing and a commanding sacred challenge. We must see the core values of our culture not as that which we constitute but rather that within which we ourselves are constituted.

Thomas Jefferson was the first and by far the most eloquent American to make the case that at the heart of this country are sacred beliefs. Jefferson's first draft of the Declaration of Independence written using "neither book nor pamphlet" remains as close as we have ever come to an American Decalogue. Like the Ten Commandments, the draft is the very framework of how we understand ourselves as a nation formed out of not merely political but also religious necessity.

It is highly probable that Moses did not edit God's words, but it is absolutely certain that Jefferson's first draft of the Declaration of Independence was edited by Benjamin Franklin, John Adams, Roger Sherman, and Robert R. Livingston, who made a number of important changes to Jefferson's draft before submitting it to Congress, which, after meddling with it still further, passed it unanimously on July 4, 1776.

In Jefferson's version of the Declaration of Independence a forceful passage condemning black slavery was deleted immediately by Richard Henry Lee of Virginia. Since Lee was the man who introduced the resolution to declare independence from England, and since Jefferson was himself a reluctant and agonized slave owner, he agreed to the deletion. By far the most important change in Jefferson's first draft of the Declaration of Independence was the change Benjamin Franklin and other atheists introduced which produced this famous phrase that began after the preamble, "We hold these truths to be self evident, that all men are created

equal...." Those were not Jefferson's words. These were his words:

> *"We hold these truths to be sacred and undeniable; that all men are created equal and independent, that from that equal creation they derive rights inherent and inalienable, among which are the preservation of life, and liberty, and the pursuit of happiness."*

Now there is a world of difference between "We hold these truths to be sacred" and "We hold these truths to be self evident." Self-evident truths derive from our own unaided reason. Sacred truths derive from God, and from the revelation of God's will in sacred scripture. Jefferson had no problem believing that the foundations of America were religious. He fully acknowledged the wall of separation between church and state (indeed he is the author of that phrase and of its representation in the First Amendment to the Constitution). This separation, however, was never meant to eradicate religion from the lives of Americans, nor deny or hide the importance of religious beliefs in forming our national character and national purpose. Its only purpose was to avoid the establishment of a national religion and to guarantee the free exercise of all religious traditions on our shores. Jefferson's first version of the Declaration of Independence makes all that perfectly clear while the Franklin/Adams/Sherman/Livingston/Lee version makes everything fuzzy because it states that these truths are self evident, while leaving in the now contradictory Jeffersonian phrase "and are endowed by their Creator with certain inalienable rights." The committee editing of one of the great works of political philosophy has given us the contradictory attitude toward religious beliefs in the public square that we possess to this day. We reverence religion but we are afraid of its appearance in the public square. We want it in church but when it tries to make its legitimate presence felt in the streets and the law, in commerce and in the media we are skittish and fearful.

Now you may say, "I'm glad Franklin won. It's better to rely on reason than revelation in establishing a government. A self-evident truth is more universally accepted, more accessible than a sacred truth." But I say, you never taught philosophy as I have. Identifying a truly self-evident truth that is not merely analytic (a bachelor is an unmarried male) is nearly impossible. Take Jefferson's very point, that all people are created equal. What makes this statement self evident? We are not equal in the marketplace unless we have the same amount of money. We are not equal in social standing unless we have the same ancestors and went to the same schools and belong to the same clubs. We are not even truly equal before the courts of this land unless we have the same money for representation, and unless we are white. We are not equal in intelligence, temperament, literacy, discipline, nor virtue.

For Aristotle it was self-evidently true that women, children, non-Greeks, slaves, and disabled people were not homo sapiens in the full and complete sense. They had souls but they were underdeveloped souls and were therefore not equal to the male citizens of Athens. (If he had merely said that teenagers were not real human beings we certainly could agree that this is indeed self evidently true!)

Freidrich Nietzsche taught that the very idea of human equality was merely a Jewish and ultimately Christian corruption of the idea of true virtue, the virtue of the *ubermensch* (superior man), the natural virtue of the strong over the weak.

There are simply no facts I know of that make the proposition "all people are created equal" self-evidently true. But there are beliefs that make this proposition true and those beliefs are religious beliefs. What makes us equal is the belief that God created us in God's image. It is the belief we learn from Genesis, *zachar u'nekevah bara otam, b'tzelem elohim bara otam*, "Male and female he created them. In the image of God he created them." It is that precise belief, not some self-evident rational truth that moved Jefferson to write, "We hold these truths to be sacred." That belief lies at the heart of America's self understanding. That belief has led to America's greatness in the world. And the denial of this belief is the reason that we cannot yet defeat racism and discrimination. It is the reason we trade with oppressors and curry favor with dictators. It is the reason that people go to bed hungry and sick and those who sleep in the dust have no outstretched arm to lift them up into the light of a new and kinder day.

We are now at a moment in American history where self-evident truths are coming into conflict with sacred truths, and what we decide as a nation will shape our future and our children's future. The choices are stark.

It is a self-evident truth that government must function efficiently and economically, but it is a sacred truth that children should have lunch. It is a self-evident truth that goods should be produced as cheaply as possible, but it is a sacred truth that slaves should not make our paper clips. It is a self-evident truth that we should husband our natural resources economically, but it is a sacred truth the world God has created was not given to us to use at our whim and will. It is a self-evident truth that people should be free, but it is a sacred truth that such freedom must respect the sanctity of all life regardless of

its vulnerability, its expense, or its suffering. It is a self-evident truth that people should be compensated according to their worth in the marketplace, but it is a sacred truth read in Isaiah that we must be "a refuge to the poor, a refuge to the needy in distress, a shelter from the storm."

We must restore the language of sacred truths to our public discourse if we are to prevent the language of self-evident rational, economically viable, politically expedient rights to destroy not our economy but our national character, and with that destruction our economy will collapse as well. Remember well that the verse on the Liberty bell, "Proclaim liberty throughout the land unto all the inhabitants thereof," is not from some deductive syllogism or political pamphleteer. It is from Leviticus.

It is not just cultural conservatives who are raising this clarion call for a spiritual revival in America. Pundits from the left and the right are joining a growing consensus of sensitive, concerned Americans who believe that what is wrong with America now is something that neither politics nor economics can address or correct. New York Times writer Anna Quindlen, finds, "There is a yawning hole in the psyche of America and Americans where our sense of common purpose, of community and connection, of hope and a spiritual satisfaction should be." Television producer and civil libertarian Norman Lear, in a lecture, agrees, "A culture that becomes a stranger to its own inner needs, is a culture that has lost touch with the best of its humanity. One can call it the spirit-led, or spiritual, life of our species. And we have long recognized its presence and accepted that it sets us apart. And yet, as a student of the American psyche, at no time in my life can I remember our culture being so estranged from this essential part of itself."

As Elie Cohen says in his book "Human Behavior in the Concentration Camp," "Those prisoners that had some spiritual life had the best chances for survival. They are the spiritual values in their widest sense: morality, knowledge, emotion, intellect and religion." We are living in the midst of plenty and yet we too need the same values if we are to survive the world of greed and glitz that we have allowed to be created after first exiling God to the decorous prison cell of our houses of worship. It is the street and the television studio, the press and the record store that need to hear another voice, another vision, another melody in the boisterous chorus of America.

Way, an organization founded to fight the Christian right, now agrees with people like Bill Bennett and others on the right that the decline of religion is at the root of the decline of our culture. Recently Bennett said:

"What I humbly submit is that we might all benefit by viewing ourselves not as essentially biological or economic entities who happen to have a spiritual life, but rather as essentially spiritual beings who happen to have a biological and economic life. Once we realize this sacred truth, we can restore religion, not to where it does not belong, in our public schools, but to where it does belong, in our public life."

Joseph Campbell had an arresting metaphor to describe the shift that has occurred in the role of religion in public life. In medieval times, he said, as one approached a city, the tallest structure on the skyline was the church and its steeple. Subsequently, as the power and influence of the church gave way to kings and rulers, the castle dominated the skyline. Today, as one approaches the city, the most commanding structures are the skyscrapers, the cathedrals of modern business.

Now, the truths of business are fine as far as they go. The problem is that they do not go far enough. They are limited because they are quantitative. They are limited because they measure everything, and God teaches us to reverence everything and measuring is just not the same thing as reverencing. They are limited, to say it plainly, because they do not claim the soul.

Martin Luther King, Jr. claimed the soul, and he did it not because he was a brilliant political theorist. He did it because he was a brilliant religious leader who understood that a public square devoid of religious values would never truly emancipate Americans whose skin color was not white. King's message was not just made more striking because it was grounded in religion, it was made more universal. How sad that many school textbooks still choose to omit the fact that King was a Baptist minister. He never claimed to be a Moses but he spoke to us like Moses, even with Moses' tragic prescience, "I've been to the mountaintop and I've seen the promised land. I may not get there with you but I know that we as a people will reach the promised land."

The Rev. King attracted many men and women to his cause not despite the fact that it was spiritual, but because it was spiritual. He spoke of America as being under a religious curse because of the sin of racism—not the mistake of racism, not the error of racism—but the sin of racism. And in all the Rev. King's speaking from all the pulpits of all the churches and synagogues of this land, nobody ever said, "Reverend King, you are violating the separation of church and state." Nobody ever accused him of unfairly trying to impose his religious views on others by pressing for civil rights legislation.

I am not afraid of people who, just like the Rev. Dr. Martin Luther King, Jr., are trying today to have their

religious views affect the formulation of public policy, nor should you be. Their religious beliefs surely do not make them right about what they want, but they just as surely do not make them wrong. The last acceptable prejudice in America is the prejudice against those who take their faith seriously.

Rabbi Abraham Joshua Heschel, who was walking with King in the march to Selma, was asked by a reporter, "Rabbi what are you doing here?" Heschel replied, "I am praying." The irritating reporter persisted, "Rabbi, I don't see your lips moving." Whereupon Heschel shot back, "I am praying with my feet." Today, we must teach our feet how to pray again.

The black man who drove his tank through the gates to Buchenwald concentration camp told me that when he got out of the tank the Jewish inmates were shouting and crying in joy "*eine shwartze malach*" (a black angel!). He saw the gate in the dust and saw that it had a German inscription at the top of the gate. He asked one of the prisoners what it said and was told "*jedem das seine*" (to each his own). He did not understand why the Germans put those words there, but I understand and I am sure that both King and Jefferson would have understood as well. "To each his own" is the perfect motto for hell. In hell we are all alone. No community, no covenant, no commandments, no charity, no compassion, no God and no grace. In hell we are taught to see our neighbors at home or around the world as the source of our limitations rather than the source of our fulfillment.

So I told him this story and he began to understand and so did I:

A student asked the rabbi, "What is hell like?" The rabbi answered, "In hell the people are sitting around a table filled with fine food. They can see the food and smell the food, but they cannot bring the food to their mouths because their arms are locked straight in front of them." "That is hell," said the student, who then asked, "What is Heaven like?" The rabbi answered, "In Heaven the people are sitting around a table filled with fine food. They can see the food and smell the food, but they cannot bring the food to their mouths because their arms are locked straight in front of them." The confused student asked, "So what's the difference between Heaven and hell?" And the rabbi said, "In Heaven the people are feeding each other."

What he understood was not a self-evident truth because nothing about Heaven or hell is self evident. What he understood was a sacred truth. A truth we must hold if America is to reclaim the better angels of our nature. A sacred truth that Jefferson and King held and that we can hold again, if we can only believe again that all people are created equal and independent, that from that equal creation they derive rights inherent and inalienable, among which are the preservation of life, and liberty, and the pursuit of happiness.

God...

Bless America.

Dr. Marc Gellman is the senior rabbi of Temple Beth Torah, Melville, NY. Rabbi Gellman appears regularly with Monsignor Thomas Hartman on television and radio. The HBO special based on their book "How Do You Spell God?" won a Peabody award this year.

Viewpoints

The editors invited civil rights leaders and specialists to identify briefly the most pressing civil rights issues facing the Nation today. Except for one, all 28 who responded are associated with leading organizations that monitor civil rights or advocate on behalf of groups that historically have suffered discrimination because of their race, color, national origin, religion, sex, age, or disability. The exception, the late Evan J. Kemp, Jr., rose to prominence as Chairman of the Equal Employment Opportunity Commission and played a vital role in drafting and passage of the Americans with Disabilities Act.

Marca Bristo

Seven years' experience with the Americans with Disabilities Act (ADA), the landmark civil rights law covering persons with disabilities, has convinced me that the most dangerous threat to the civil rights of all Americans is backlash. Politicians mouthing paternalistic platitudes while mounting attacks on our hard-won rights. Business owners who can't (or won't) accept change. And backlash from the public demonstrating convincingly the attitudes that justified the legislation.

In her book "Backlash," Susan Faludi discusses backlash against feminism. "It has adopted disguises: a mask of mild derision or the painted face of deep concern. Its lips profess pity for any woman who won't fit the mold, while it tries to clamp the mold around her head. It pursues a divide and conquer strategy: single versus married women, working women versus homemakers, middle- versus working-class."

Written about women, Faludi's words are hauntingly familiar. They could easily describe backlash against persons with disabilities, against African Americans, or against any other group that has had to fight for the right to be treated as equals.

If backlash is common to all minorities, then the response should also be. The disability community was successful in passing and defending the ADA because diverse segments of the community bonded on a shared vision. Similarly, the equal opportunity society we all seek can only occur if women and the diverse minority groups build bridges to each other and to the future. Bridges of understanding and cooperation will strengthen our defense against backlash. We must remember that "Injustice anywhere is a threat to justice everywhere."

Marca Bristo is Chairperson of the National Council on Disability and heads Access Living, an independent living program for people with disabilities.

Bob Chase

In the 1950s and 1960s, Supreme Court decisions and acts of Congress created a framework of *de jure* civil rights that is without precedent. Yet for many children who are denied a decent education, that achievement rings hollow.

Especially in our central cities and in poor rural areas, too many students attend public schools that are shamefully underfunded and inadequately prepared to meet the needs of today's diverse student population. We have not met our national responsibility to provide all students, irrespective of their social class, family income, race, sex or native language, with real opportunities to achieve. As a result, a shocking number of our young people emerge from these systems as functional illiterates, poorly equipped to participate fully in the American dream.

Clearly, the right to a quality public education is the essential *enabling* right, the prerequisite to full enjoyment of all the others that are our birthright. For this reason, the movement to raise academic standards in public schools—and to ensure that all children receive a quality education—is arguably the most pressing civil rights issue of the late 1990s. Elected leaders, taxpayers, school administrators, and, yes, teachers and their unions, all have a profound moral responsibility to rescue underperforming schools, to create the conditions under which all young people are given the opportunity to learn at an ambitious, demanding level.

Bob Chase is President of the National Education Association.

Sanford Cloud, Jr.

When I think about civil rights in America, I return to the Constitution and its guarantee that laws will not deprive people of life, liberty, or

property without due process. The most pressing issues in civil rights today—creating genuine opportunities for all in the workplace and community, providing equal protections to legal immigrants, and countering the persistence of hate crimes—involve our commitment to equality and to each person's indispensable right to live fully in freedom.

Most of all, it is critical to continue affirmative action. Although designed as a remedy to provide equal opportunity more fully to those denied a chance because of who they are, this vehicle is now perceived as quotas and preferences for the unqualified. We have only to look at California and Texas to see that the remedy can create inclusion in institutions of higher learning, while its absence results in exclusion. Because discrimination persists, we should reframe this remedy as affirmative opportunity and initiate a dialogue to bring new meaning to it.

The energized enforcement of civil rights laws is essential to preserving all such rights and opportunities. But we also need a populace educated in human relations—people who come to understand the different "other" and are guided by understanding and respect. Only then will our Nation be able to reach its fuller potential.

Sanford Cloud, Jr. is President and CEO of The National Conference, founded in 1927 as The National Conference of Christians and Jews.

Tony Coelho

One of the most important civil rights issues confronting our Nation is the rights of individuals with disabilities. The Americans with Disabilities Act gave us the legal right to demand equal opportunities and access to employment, public accommodations and services, telecommunications, and transportation systems. And, in the three years after the passage of the ADA, 800,000 people with severe disabilities gained employment.

Yet individuals with disabilities remain in dire economic straits, largely outside the workforce. Only 26.1 percent of the 14.2 million Americans with severe disabilities are employed. We as a nation cannot afford to continue wasting such valuable human resources.

The plight of minorities with disabilities is even more troubling, and remains a largely ignored but critically important civil rights issue. For example, only 15 percent of African Americans with severe disabilities are gainfully employed. Until recently, the disability and minority communities were viewed as entirely distinct, with separate constituencies and agendas; and the problems facing people with disabilities from culturally diverse backgrounds were not addressed.

The President's Committee on Employment of People with Disabilities has begun working in collaboration with the NAACP, the National Urban League, and other civil rights organizations to heighten awareness and action on this important civil rights issue. The disability and minority communities must work together to find ways to increase employment opportunities and justice for all.

Tony Coelho is Chairman of the President's Committee on Employment of People with Disabilities and is a former member of Congress and House Majority Whip.

Margaret A. Dixon

As a young girl, many of the doors I wanted to walk through were not open to me, and I encountered many people who had preconceived notions of who I was and what I could do based solely on the stereotypes and myths that they attributed to my African American heritage.

Since that day in 1955 when Rosa Parks refused to give up her seat on a bus in Montgomery, AL, we have changed many of the laws that permitted racial discrimination. But we have also learned that changing laws is easy compared to changing attitudes.

Today, I am often haunted by a different set of myths and stereotypes based not on my race, but on my age. As with the struggle to end discrimination based on race, we also have succeeded in changing many of the laws that discriminate based on age. But again, when it comes to age, changing laws is much easier than changing attitudes.

As President John F. Kennedy said in 1963: "So let us not be blind to our differences—but let us also direct attention to our common interests and to the means by which those differences can be resolved. And if we cannot end now our differences, at least we can help make the world safe for diversity."

The one thing all people have in common is that we are all growing older. We must accept that our society is aging and direct our attention to what that means. Only then will we truly make the world safe for diversity.

Dr. Margaret A. Dixon is President of the American Association of Retired Persons (AARP).

William A. Donohue

Freedom of religion, and most especially the public expression of religion, is the most pressing civil right of our time.

When the Constitution was written, crèches were permitted on public property and blasphemy was punishable by death. Now we've banned the crèches and provided public funding for blasphemy (the National Endowment for the Arts' support for Serrano's "Piss Christ" is a case in point). This inversion is due to the animus against religion as manifested by

our cultural elite and a flawed interpretation of the First Amendment as entertained by the courts.

Unlike the Founders, today's cultural elite tend to see religion as an impediment to freedom and therefore they support measures that limit its public expression. The courts have largely accepted the erroneous idea that the First Amendment contains two contrary clauses on religion: the Founders believed that the establishment clause (which was designed to shield religion from government, not the other way around) and the free exercise clause were two complementary statements on religious freedom. In short, they were meant to reinforce each other.

If the privatization of religion is to end, it will require a reconsideration of the role religion has played in the making of liberty. Alexis de Tocqueville knew religion to be the "cradle of democracy." It is high time our elites took a second look at what Tocqueville meant by this verity. And it is high time our judges took seriously what the Founders meant by the First Amendment's commitment to religious liberty.

William A. Donohue is President of the Catholic League for Religious and Civil Rights, an adjunct scholar at the Heritage Foundation, and the author of several books.

Charlotte Flynn

One of the most important civil rights issues today is ageism. Alex Comfort in "A Good Age" defines ageism as "the notion that people cease to be people, cease to be the same people or become people of a distinct or inferior kind, by having lived a specific number of years."

One reason ageism is so important is that it is very insidious, being buried in our culture and not recognized. This causes many problems in our society that cannot be identified as a civil right, but are very dangerous because there is no way to deal with these issues. One such example is the generational conflict raging in our country.

Job discrimination based on age is one example of a civil right denied. Although it is recognized in the law, it is almost impossible to get relief.

Society will not be able to deal with civil rights of the elderly until society confronts the demeaning of aging rooted in modern culture's relentless hostility toward decay and dependency. Then society needs to provide convincing answers to deeper existential questions like the quality of life in old age, defined roles, and life options. We need to address the unity and integrity of the life cycle and the meaning of aging.

It is impossible to address the civil rights of the elderly until society can address the root causes of ageism.

Charlotte Flynn is Chair of the national Gray Panthers and has served on several task forces and committees dealing with issues of health and the elderly in Texas.

Abraham H. Foxman

If civil rights means anything, it has to mean freedom from bigotry, from racism, from antisemitism. All of the evils which our civil rights laws are designed to redress—discrimination, persecution, denial of constitutional rights—flow from prejudice and intolerance. Therefore, as we look toward the 21st century, the biggest civil rights issue confronting us is how to change people's attitudes. Bigotry is a pernicious and tenacious virus for which no one has yet found a cure. Finding that cure, and finding effective ways to treat the virus while we search for the cure, should be our highest priority.

Half a century ago, when Auschwitz was laid bare for the world to see, we all understood that this was the ultimate consequence of antisemitism unchecked. We thought, presumed even, that once the world had seen these extreme consequences, antisemitism would begin to pass into history. Yet here we are, 50 years later, still confronting neo-Nazi skinheads, Klansmen, white supremacists, and all manner of hate crimes.

We can fight prejudice—indeed, in many places, we are fighting it successfully. Forty states now have ADL-inspired hate crimes laws; more and more law enforcement agencies have bias units, and more and more victims are prepared to speak out. As long as decent people—the overwhelming majority—will stand up and say that bigotry is wrong, is immoral, is unacceptable, we can keep the lid on hate. And someday, hopefully in the next century, maybe we will even find a cure for the virus.

Abraham H. Foxman is National Director of the Anti-Defamation League and is a member of the President's United States Holocaust Memorial Council.

Margaret Fung

For the past three decades, Asian immigration has been a major factor in transforming America into a more racially and ethnically diverse society. A new civil rights framework is needed–one that addresses the different ways in which racism affects various communities and expands upon existing laws that historically have developed in a black-white context.

Because of changing demographics, discrimination based on immigration status and English language proficiency will continue to be important civil rights issues affecting our Nation. Recent changes in Federal welfare laws have underscored the vulnerability of both legal and undocumented immi-

grants. As immigrants become naturalized citizens and more active participants in the political process, voting rights laws must be strengthened to refine legal concepts of racially polarized voting and "communities of interest" in a new multiethnic context.

The Federal Government must continue to play a vigorous role in enforcing civil rights, but ultimately, it is all Americans, in our local neighborhoods, at work, and in our schools, who must reaffirm our moral commitment to the civil rights movement and demonstrate through our daily intentions that people of different races, languages, and cultures can overcome the pernicious effects of racism.

Margaret Fung is Executive Director of the Asian American Legal Defense and Education Fund. She serves on the Boards of Directors of the New York Civil Liberties Union, New York Foundation, and National Committee for Responsive Philanthropy.

Dorothy Gilliam

Media diversity is a too-rarely-addressed topic in the pantheon of U.S. racial and ethnic issues. The dismal national statistics demonstrate the problem: African American, Hispanic, Native American, and Asian American journalists combined were only 11.4 percent of newspaper professionals in 1996. Moreover, at a time when minorities totaled 26 percent of the population, the numbers appear to be stalled. Not only did the sum total of newspaper journalists of color fail to grow significantly after slow increases for nearly 20 years, but the number of black journalists actually dropped last year for the first time!

Minority organizations and journalism associations of color have worked intensely with media companies and industry associations to achieve the progress that has occurred. Yet too little diversity and racial sensitivity, especially among decision-makers, has profound results: insensitive coverage and images that reinforce negative racial stereotypes. In addition, such coverage can lower political support for policies that help the poor, and contribute to anti-immigrant sentiment and strained relations among races.

Obstacles to accelerating the diversity in newsrooms range from anti-affirmative action sentiment, reluctance to share power with minorities, decreasing circulation and downsizing, and the paucity of students and professors of color in journalism schools.

Minority journalists will continue to fight. But there is much truth in a recent Harvard University study suggestion: television and press coverage must become a part of the agenda of minority leaders.

Dorothy Gilliam is a past President of the National Association of Black Journalists.

Suzan Shown Harjo

For the American Nation to be an efficacious moral authority, it must keep its word. For Native Peoples, this means that the United States must live up to its treaties and other promises. It must come to grips with its past practices of abuse–and the resultant violations of religious freedom, cultural integrity, sacred lands and other treaties, and human rights that continue today under color of law–and change all laws and practices that perpetuate injustice against the two million Native Americans.

It is incumbent upon private citizens to recognize their vital role in forcing Federal and societal change. It will take the courageous actions of all to eliminate vestiges of overt and subtle racism involving Native American names, cultures, histories, symbols, images, and behavior in the marketplace, classroom, sports world, and all forms of popular culture. Until justice comes to Native America, it will continue to elude our neighbors.

It is essential that all people and communities lift opaque veils of ignorance that keep people misinformed and prejudiced regarding others and even ourselves.

Each community nationwide has experienced the pain of burying our children. We all know that killing spirits and emotional violence are signposts on dead-end streets. Strength and clarity expressed in graceful, loving ways will guide us over the long journey. Let us go forward in a good, righteous, and joyous way.

Suzan Shown Harjo, a Cheyenne and Hodulgee Muscogee Native American, is President of The Morning Star Institute.

Antonia Hernández

As our country becomes more global and complex, we all must assume the increasingly difficult challenge of ensuring that each of our citizens has the opportunity to participate fully in the future development of this Nation. From a Latino perspective, strengthening our political presence, increasing educational attainment levels, and improving the socioeconomic conditions of our community will determine how involved Latinos will be.

The Latino community, young and full of vigor, is one of the fastest-growing segments of the U.S. population. Latinos will represent an increasingly larger share of the labor market as we enter the 21st century and will play a critical role in maintaining the way of life that makes this country stand above the others. Well-constituted affirmative action programs that provide equality of opportunity in education and employment will ensure that the Latino community is well-prepared to assume this responsibility and will enable Latinos to contribute to the well-being of their families, their

employers, their communities, and their country.

We must have strong visionary leadership, deliberate plans of action at the local, state, and national level, and a strong sense of responsibility to address the various economic, social, and political issues that confront us. Our country is a unique mix of cultural and ethnic diversity, of risk-taking entrepreneurs, and of new and evolving growth industries. Understanding and promoting the important role that each of us plays in our socioeconomic future are critical to our continued success as the leading industrial Nation in the world.

Antonia Hernández is President and General Counsel of the Mexican American Legal Defense and Educational Fund.

Patricia Ireland

Whether I'm riding a bus through a multi-ethnic neighborhood on the way to work, sitting next to a business traveler on a flight, or using my rusty Spanish to chat with the crews that clean our offices after hours, I marvel at the fortitude each of us musters in our daily work lives.

Most of us have to face traffic, time away from our families, long hours. Add to that stressed-out colleagues, attacks from rivals, and the hoops bureaucrats make us jump through. We shouldn't have also to face chronic problems of sexual harassment, racial discrimination, and other workplace abuses.

But unless we take strong action, the doors the feminist and civil rights movements kicked open will be slammed in our faces. Conservatives are escalating political efforts to undermine affirmative action and equal opportunities for women and minorities.

And in a dangerous trend, more and more businesses are forcing employees to sign away our rights to take discrimination complaints to court. Many employees must instead take their charges to industry-controlled arbitration behind closed doors.

At a time of attacks in both business and politics, the newest wave of the religious right—the men-only group Promise Keepers—is calling for the submission of women and racial "reconciliation," rather than racial justice. As much as I enjoy talking with people on the bus, on the plane, and after work, hugs and tears are not the answer to institutional injustice. Activism is.

Patricia Ireland is President of the National Organization for Women and author of the book "What Women Want."

Evan J. Kemp, Jr.

There is much to celebrate during the 40th anniversary of the U.S. Commission on Civil Rights. America today is very different from the America of the 1950s. Nearly all the landmark civil rights gains have been made since the Civil Rights Commission was established.

Now that the hard-fought laws are in place, it is essential that they are protected and that they are enforced fairly, consistently, and aggressively. As a former Chairman of the U.S. Equal Employment Opportunity Commission, I am only too aware of how Congress gives lip-service to civil rights one minute and in the next breath refuses to fund adequately the agencies that enforce the civil rights laws. The laws are meaningless unless they are enforced. Americans must realize that the remedy for illegal discrimination is not passing more laws; it is consistent enforcement of the laws that already exist.

With the legal protections behind us, the next step in the civil rights movement should be full economic integration into society. Civil rights laws have created the opportunity for individuals to live and work productively as full members of our society. But it is each person's responsibility to live up to his or her potential, to take advantage of the available opportunities, and to make informed choices about his or her life. Individuals should not depend on the Government to achieve their successes if they have the ability to take control of their own lives. Economic independence and self-reliance are the key to economic integration.

Evan J. Kemp, Jr., wrote this essay for the Journal shortly before his untimely death in August. A distinguished advocate of people with disabilities, he served as Chairman of the U.S. Equal Employment Opportunity Commission under President Bush.

Diane Knippers

The first of a citizen's rights is the right to hold and practice a religious faith. Therefore, any defense of civil rights must begin with the defense of religious freedom.

The American founders looked to a transcendent moral order, under "Nature's God," as the source of liberty. They also looked to the religious conscience of the people as a safeguard of liberty. If persons were not free to follow their convictions—or if they had no deep convictions—then all the other rights guaranteed in the Constitution would mean little.

Even today, the struggles for freedom in nations as diverse as South Africa and the former Soviet Union have been significantly inspired by religious faith. In our own country, the arguments for racial equality that move Americans most powerfully are those that draw upon religious notions of the creation of all persons in the image of God.

Unfortunately, in recent decades a turn of mind has developed that regards strong religious faith as the enemy of civil liberties. In practice, the separation of church and state has often been interpreted to mean

the exclusion of religious discourse from all public venues.

This trend must be reversed. Legally, it may take a constitutional amendment to reaffirm the rightful place of diverse religious expressions in public life. But even more important would be a cultural change. Our public institutions must learn again to cherish deep religious convictions, of all varieties, as freedom's strongest support.

Diane Knippers is President of the Institute on Religion and Democracy.

Dick Komer

There is really only one important civil rights issue facing the Nation today—the loss of moral authority by the civil rights movement.

The great civil rights consensus forged from the time of *Brown v. Board of Education* in 1954 through the passage of landmark civil rights legislation in the 1960s has been squandered, destroyed by the perversion of the principle of nondiscrimination on which the consensus was based. Civil rights advocates, frustrated when their unrealistic expectations for material progress for minorities from the civil rights legislation went unmet, abandoned the principle that people should not be judged by the color of their skin or by their gender—the actual standard of our civil rights laws—and opted instead for color-conscious policies of preferences for minorities and women.

The civil rights community has abandoned the principle of equal opportunity in favor of efforts to mandate equal results. These efforts require discrimination against the better qualified and inevitably breed resentment and anger on the part of the victims of this new discrimination. Worse still, the situation recreates or perpetuates harmful stereotypes and diverts our attention from the true causes of unequal results.

The only way for the civil rights community to regain its moral authority and renew the civil rights consensus is to acknowledge its error and renew its commitment to the principle of equal opportunity.

Richard D. Komer is Senior Litigation Attorney at the Institute for Justice and formerly served as Deputy Assistant Secretary for Civil Rights in the U.S. Department of Education.

Daphne Kwok

For the Asian Pacific American (APA) community, the greatest civil rights issue that we confront is that we are not confronted at all. This Nation still speaks about civil rights as a black/white paradigm and leaves out the rest of us. Evidence is the Civil Rights Act of 1991, which purposely eliminated from the law 2,000 APAs involved in the *Wards Cove Packing Co. v. Antonio* Supreme Court case. One of the five cases used as the impetus to pass the act, the plaintiffs cannot even benefit from the law. Six years later and this Nation does not have the inclination to right this outrageous civil rights infraction. Why? Because this Nation does not recognize the "civil rights" of APAs.

What needs to be done?

Leaders must put all groups on the same level when we talk about civil rights. The rights of any one individual do not mean any more or any less than those of any other.

Leaders need to eradicate, once and for all, all discriminatory laws, i.e., the 1991 act.

Leaders need to talk about civil rights in a multi-hued language.

Leaders need to appoint APAs to substantive and civil rights positions, such as the nomination of Bill Lann Lee to become the Assistant Attorney General for Civil Rights. With highly visible APAs, there is at least a visual to go with civil rights for all.

These are not difficult solutions to implement to sincerely benefit all Americans.

Daphne Kwok is Executive Director of the Organization of Chinese Americans, Inc.

Barry W. Lynn

When I picked up my voice mail this morning, the first message was a vicious antisemitic screech, telling me I was being watched and should get a blood test to prove I'm not a Jew. I won't lose any sleep over that particular call, but I do over the thin veneer of civility that hides the still strong venom of bigotry directed at racial and religious minorities in America.

I worry about the loss of tools to enforce civil rights, such as the Supreme Court's ruling unconstitutional the Religious Freedom Restoration Act. I am even more concerned, though, about the message such actions send—that all is good and fair and no extra effort is needed to take into account the privileges and power of minorities and the remaining inequities for everyone else.

Honestly, I don't think a dialogue with such bigots as my anonymous caller would be terribly useful. I do think, however, that our schools, public and private, have a central moral obligation to promote the beauty of the American mosaic, in all its richness and diversity, to our next generation. I want to see the day when we will play on a gender, age, race, religion, sexual orientation, and disability-leveled playing field. To do that, we can't just tolerate our differences; we need to celebrate them.

Barry W. Lynn is Executive Director of Americans United for Separation of Church and State.

Steven T. McFarland

How should I treat those who are different from me and who have less political representation?

What roles (if any) should law and government have in protecting them from discrimination? Who should be exempt from general antidiscrimination law and when?

These will be volatile issues in the next century, as they have been in the past. Our Nation is becoming so diverse that it is more apt to become a Petri dish for xenophobia and bigotry than a melting pot. Americans do not naturally "celebrate the differences." Rather, private citizens tend to perpetuate them (usually unconsciously), while their government tries to steamroll the differences by forbidding unpopular discrimination. But integration and harmony cannot be coerced. It requires a change of heart, which is the realm of the spiritual.

That is why promoting religious freedom should be a top priority. Our framers wisely made this our First Freedom in the Bill of Rights. They knew the best way to do this was for government to remain neutral, not punitive, toward religious beliefs and institutional autonomy.

We will not advance gender equality by prosecuting churches for obeying their scriptural injunctions against ordaining women. We will not promote religious tolerance by ostracizing campus religious groups because they require that their members or leaders share their religious faith. Rather let religion flourish, without official favoritism or hostility, and we will optimize conditions for the Golden Rule to replace bigotry.

Steven T. McFarland is Director of the Christian Legal Society's Center for Law and Religious Freedom.

Kweisi Mfume

One of the most critical issues facing this Nation is the economic empowerment of the black community, an issue that the NAACP has focused extensively on in the past six months.

Economic empowerment is the logical extension of the civil rights movement, and a principle that is extremely important in an environment where there is an aggressive assault on affirmative action and economic opportunity. Minority economic development must become a focal point for those who seek to improve existing conditions in black, Latino, and Asian communities. We know that real economic empowerment of African Americans has yet to take place in this country as it must.

The NAACP continues to believe in the power and premise that all persons are created equal. We can accomplish that equality only by reinvigorating the age-old concept of coalition building, where people work together for the common good and values become the centerpiece of our lives. We all can play an important and crucial role in that fight, but we should never let anyone go into that fight alone. With the help of civic, business, and religious organizations, as well as the constant effort of individuals, we will continue to educate, agitate, organize, and motivate until this Nation ensures equality and equal opportunity for all its citizens.

Kweisi Mfume is President and CEO of the National Association for the Advancement of Colored People. The former member of Congress published an autobiography "No Free Ride" in 1996.

Manuel Mirabal

The nationwide expansion of Puerto Rican and other Hispanic families into new urban and suburban areas has generated an alarming number of bias incidents, sometimes accompanied by prejudicial journalism.

In States experiencing the most rapid growth in Puerto Rican population, including New York, Illinois, Florida, and Massachusetts, some newspapers have all but forgotten their historical role as champions of the downtrodden. Irresponsible news coverage of Hispanic families in poverty, without corresponding attention to those creatively coping with adversity and others entering the American mainstream, has fueled prejudice against Hispanics and encouraged divisions among communities of color.

One example of such reporting was a series by the Orlando Sentinel in October 1996 characterizing the entire Puerto Rican community as being the root cause of increases in crime and drug trafficking. Another, a February 1997 Chicago Sun Times investigation into wrong-doing by school administrators, became an attack on cultural education programs for Puerto Rican and other Hispanic students and against community leaders defending the programs.

As Hispanics become the Nation's largest minority early in the next century, they will speed up their expansion into new urban neighborhoods and suburbs. Initiatives must be developed now to prevent or address resulting community tensions and discrimination.

For starters, the news media need to work harder to assure not only accuracy but balance and fairness in their reporting about Hispanics. In addition, national leaders must provide consistently strong, clear messages condemning intolerance and discrimination. Finally, a Federal oversight agency should be empowered to work with civic organizations, churches, and local governments to ensure that there is effective enforcement of all anti-discrimination laws.

Manuel Mirabal is President of the National Puerto Rican Coalition Inc.

Gerald A. Reynolds

As we enter the 21st century, it is

important that traditional civil rights groups assess the successes achieved by the civil rights movement and those areas that need improvement.

By most objective measures, the Federal Government's enforcement of anti-discrimination laws has dramatically reduced invidious forms of discriminatory practices. Blacks across America are not only able to vote, the number of blacks elected to office has dramatically increased. The civil rights movement also caused many private employers to end discriminatory practices.

In an attempt to combat racial discrimination, traditional civil rights groups have for the past 30 years limited their efforts to the promotion of racial preference programs in higher education, public contracting, and the creation of majority black electoral districts. But to regain their relevancy, traditional civil rights groups need to acknowledge that the problems confronting black communities have changed. Many black communities are struggling against crime that is out of control, ineffectual public schools, disintegrating families, and the ravages of drug addiction. Racial preference programs do not increase the test scores for black students, reduce the number of teenage mothers, encourage the formation of two-parent households, or protect black grandmothers from criminals.

If traditional civil rights groups are going to play a significant role in reconstituting urban communities, they must concede that present-day prejudicial attitudes and discriminatory practices are not the primary causes for the deteriorating conditions in many black communities.

Gerald A. Reynolds is President for the Center for New Black Leadership and also serves on the National Advisory Board of Project 21.

John J. Sweeney

Just as so many great civil rights battles of this century were fought in polling places, public schools, and lunch counters, the struggles of the next century will be waged in the workplace.

The American labor movement has never been perfect, but we usually understand that our effectiveness depends upon uniting working women and men of every background and protecting us all from exploitation.

Over the past half century, American labor has supported virtually every advance in human dignity, including civil rights, voting rights, fair housing, equal opportunity for women, and the Americans with Disabilities Act. Now we're working with the civil rights coalition to defend those gains, as well as oppose discrimination against immigrants and other vulnerable groups.

But even as inequality under the law is diminishing—with some notable exceptions—economic inequality is increasing. And the gap in incomes and wealth between the wealthiest Americans and working Americans is reaching historic extent.

All that increases the importance of the labor movement's historical mission: organizing working people from every walk of life and winning better pay and improved opportunities for education, training, and advancement.

In the 20th century, we helped open the doors of opportunity for every American. In the 21st century, let's work together to win a greater measure of justice for all Americans after they walk through the doors of our Nation's workplaces.

John J. Sweeney is President of the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).

Zara Buggs Taylor

Attitudes and perceptions we have about ourselves and others are both reflected and shaped by what we see, hear, and read in electronic and print media. While receiving less scrutiny than other civil rights issues, exclusionary hiring practices by media conglomerates and the inevitable issue of unbalanced, stereotypical depictions of racial and ethnic minorities present critical challenges to the entertainment and civil rights communities.

The Writers Guild of America represents 8,500 motion picture, broadcast, cable, and news media writers. Yet, in 1997 minority writers are less than 5 percent of Guild members and correspondingly less than 5 percent of all employed writers in film and television. Exclusionary hiring practices with respect to race, ethnicity, gender, and age run rampant in Hollywood. Problems include lack of access to agents, who believe they can't "sell" minority or older writers to producers; the total absence of any minority executives in a position to "green light" a television series or film at the networks and major studios; and the widespread misperception held by many industry employers that writers' abilities are dictated and limited by race, age, gender, and disability.

Enlightened media decision-makers, industry guilds, and the civil rights community must join together to expose these practices and to develop, recruit, and employ underrepresented professionals in front of and behind the camera. Until diverse voices and points of view are routinely reflected in movies, television programming, and the news, racism, sexism, and similar plagues will remain with us into the next century and beyond.

On staff for many years with the Los Angeles County Commission on Human Rights, Zara Buggs Taylor is Executive Administrator for Employment Diversity at the Writers Guild of America, west, Inc.

Leslie R. Wolfe

Approaching the millennium, we can say with certainty that our equality movements have achieved

remarkable success—and engendered a virulent but doomed racist and anti-feminist backlash. Indeed, since the Reagan years, this backlash agenda has shaped the Federal policy debate—with its overt hostility to women's equality, to reproductive rights and health, to affirmative action, to gay/lesbian rights, and to welfare rights.

This is connected to what I have been calling the "You've Come A Long Way, Baby" backlash, which suggests that the women's movement is both dangerous and dead, that we have achieved enough "equality" for those women and men of color who are capable of having it, and that affirmative action is preferential treatment of the unqualified. We hear the rhetoric of caring amid the politics of cruelty.

Approaching the millennium, our issues remain the same; but as the policy environment has worsened, our major task remains to strengthen and expand our movement for civil and human rights. Remember: We all are in the same boat. Some of us—by virtue of our race, class, gender, marital status—are in first class cabins and others of us are in the cargo hold. We are not the captain. Conditions on the boat are often brutal and it is governed by patriarchal assumptions. If we remain isolated in our cabins, we cannot transform this society, this boat. We need to open our doors wide to each other and remember that "the true revolutionary is guided by great feelings of love" (Che Guevara).

Dr. Leslie R. Wolfe is President of the Center for Women Policy Studies and was formerly Director of the Women's Educational Equity Act Program in the U.S. Department of Education.

Raul Yzaguirre

The National Council of La Raza recently released an Index of Hispanic Economic Indicators—both "leading and lagging"—illustrating that, while the Latino community has tremendous economic potential, it is hindered by several key economic vulnerabilities linked to access and equality of opportunity.

Research highlights that Hispanics make significant contributions to the economy, somewhere in the neighborhood of $350 billion. Research also points to several lagging indicators that help to explain the lack of economic mobility for many Latino families. For example, the rising rate of poverty among our children is staggering. About one in three Hispanics was poor in 1995, and since 1980 the number of poor Hispanic children has increased by 133 percent.

Although the Latino community will continue to make a substantial positive contribution to the U.S. economy, the system is not rewarding us for this behavior. Perversely, the very policies designed to help Americans overcome economic, educational, and political disadvantages are being denied to Hispanics. These measures do nothing either to ensure fairness or to make the necessary public policy investment in groups such as the Latino community.

The economic fate of the United States as it enters a new century is increasingly tied to the economic well-being of all its citizens. It is critical that we develop an inclusive vision where Hispanics are equal and full participants in shaping a society that works for all Americans.

Raul Yzaguirre is President of National Council of La Raza. He formally advised President Clinton on Hispanic affairs.

James Zogby

Despite progress in civil rights issues that confront us as a Nation, gaps threaten to follow us into the next century.

Vilified and negatively stereotyped in the media and popular culture for the past two decades, Arab Americans remain a weak link in the civil liberties-civil rights chain.

In the current political climate, terrorism has assumed an ethnic connection—ours. Even legitimate counterterrorism efforts too often cast a net so wide that Arab and Muslim Americans get harassed or targeted, not on the evidence, but on the basis of ethnicity.

Arab immigrants should not have to live through the panic and backlash as in the aftermaths of the tragic bombing in Oklahoma City and the crash of TWA 800. Not only do Arabs in America become victims of hate crimes in such times of crisis, but many are harassed by officers of the law rushing to judgment.

Civil rights are jeopardized in various ways. Current airline profiling, despite Federal Aviation Administration denial, appears to include an Arab ethnic component. Scores of Arab Americans are being singled out and harassed at U.S. airports based solely on appearance or surname.

We live in an age when civil rights abuses do not always follow the classic pattern of race. Politics and foreign policy can be used to perpetuate those abuses, and our combined vigilance is needed to stop the abuses.

James Zogby is President of the Arab American Institute.

Editor's note: *See page 54 for a late-arriving statement by Dr. Dorothy Irene Height, President and CEO of the National Council of Negro Women.*

Viewpoints

Leading figures whose unique perspectives have helped to illuminate important aspects of intergroup relations were invited to contribute to this special symposium. Each was asked to write a short essay on how our responses to discrimination and tensions arising from racism, sexism, religious bigotry, or similar forms of prejudice in our society are likely to shape this Nation's future over the next 40 years. Thirty invitees—historians, social scientists, theologians, university administrators, journalists, lawyers, publishers, and specialists in philanthropy—submitted essays. Their wide-ranging responses follow.

Larry P. Arnn

The future of civil rights depends upon how we settle a controversy here in the present. That controversy concerns two different views of civil rights, each becoming authoritative at different times in our history.

Our country began with the purpose of securing civil rights, as the Declaration of Independence stated: "To secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

What rights? James Madison provided a guide. We have, he wrote, a right to our property. In the narrow sense, property is "land, merchandise, or money. . . ."

But that is not the whole. In its "larger and *juster* [emphasis added] meaning," property includes everything to which a person "may attach a value and have a right, and which leaves to everyone else the like advantage." In this sense, property includes the right to "opinions and the free communication of them." It includes "ones religious opinions, and. . .the profession and practice dictated by them."

Our "property rights" include then freedom of speech, of worship, of the press, of association. These stand upon the same footing as our right to our material goods. And all rights are qualified by this point, which Madison himself placed in italics: we may possess only those rights that leave to everyone else the like advantage.

Before I move on from the Founding, I should say a word about two issues that will be on the lips of every reader of a publication like this, namely slavery and women's rights. The word is this: To the extent that James Madison and his friends did not include women and blacks—any human being—as holding these rights, they were wrong. As a matter of fact, they agree with me on that. But anyway, even if they did not agree, and even if they failed to protect the rights of blacks and women, it does not make the principle wrong.

Now for new times. In January 1944, President Franklin Roosevelt announced that we had discovered new "self-evident truths," and according to them it was time for a "second Bill of Rights." This new bill of rights would be "economic" in character, not "political." The old "political" rights had proved insufficient.

Would these new rights supplement, or replace, the old rights?

The new rights included "the right of every farmer to raise and sell his products at a return which will give him. . .a decent living." The farmer has then a right to sell at a good price. Does someone else have an obligation to buy? What if a farmer chooses to grow broccoli, and the public loses its taste for it? What if most farmers grow broccoli, and though we continue to like it, we do not like it that much? Is some individual responsible to purchase the broccoli anyway? Am I? Are we all, through the government? But if we spend our money buying broccoli that we do not wish to eat, then we have nothing left to buy the beans that a few farmers may still grow. And if that happens, how shall we guarantee a "decent living" to the poor bean farmers? Already we are in trouble, and we have not yet begun to define a "decent living."

Indeed, these poor bean farmers, in relation to the broccoli boys, will not have Madison's "like advantage." It costs us nothing to permit—and a moderate amount to protect—another in the enjoyment of his freedom of speech, or the possession of the property he has earned for himself. But if we must provide some people a "decent living," then we may run out of money. We must choose whose "right" we will recognize. Some will be left out. Broccoli yes. Beans no.

This is the problem of modern civil rights policy. The government deploys about half the entire economy, which is by far the largest economy in the world, and probably bigger than the whole world economy in the day of Franklin Roosevelt. Yet it cannot satisfy all the claimants. It subsidizes some crops and not others. It grants preferences to some races and not others. It recognizes the "rights" of some, but not others.

Of course, we all press upon the government to make sure we are the ones who get our rights recognized. We begin to think of ourselves, not as citizens, but as claimants. We become members, not of a nation,

but of groups that make claims on the Nation. We are African-, or Mexican-, or Farming-, or Whatever-Americans.

Meanwhile, the government spends its time arbitrating among our claims. And it runs a deficit.

The old policy—to each his own—had its hard aspect. Being responsible for oneself is the hard price of liberty and of equality. But it did give rise to a practice of philanthropy and neighborliness unprecedented in the entire world. And it did not lead us so inevitably toward a war over whose rights come first.

We shall have that war, as sure as the sun comes up, if we cling to these new principles. If we abandon them, and go back to the old ones, we have a chance of peace. Upon this choice hangs the future of civil rights.

Dr. Larry P. Arnn is President of The Claremont Institute for the Study of Statesmanship and Political Philosophy and was the Founding Chair of the California Civil Rights Initiative, or Proposition 209 on the November 1996 ballot.

Stephen H. Balch

We've fallen into a very bad habit when debating affirmative action policies. Instead of discussing whether or not they serve the common good, we argue almost exclusively about their positive or negative impact on the interests of specific groups. Thus, their defenders assert that, without them, minority access to education and jobs will continue to suffer diminution, while opponents plead the deprivations of reverse discrimination suffered by white males, or contend that upon careful examination group preferences work to hinder minority prospects.

It is, of course, hardly surprising that this happens. Conflict and collision among interest groups are the stuff of day to day democracy, leading most conventional issues to be weighed in just those win/lose terms.

Nor is there anything necessarily wrong about debating the merits of affirmative action in this manner. Giving all our citizens, particularly those long denied equality, a full opportunity to lead successful, prosperous lives is deservedly a major goal of public policy. And we cannot be blind to the lingering effects of past injustices on the fortunes of contemporary Americans.

But confining this debate to such specific questions of interest is ultimately to do our country and all its citizens, whatever their race or ethnicity, a very grave disservice. This is true because something is at stake in it that far transcends in importance the immediate interests of any one group: the need to preserve the fundamental character of our society.

Over the past two hundred years, America has achieved a level of human freedom and flourishing matched by few other countries. The secret of this success has been our willingness to abjure the distinctions of caste and tribe that so poison politics and stifle energies elsewhere. This abjuration was incorporated into the Nation's founding documents, most famously the Declaration of Independence's proclamation that "all men are created equal" but, as significantly, in the U.S. Constitution's prohibitions on the granting of titles of nobility. These constitutional provisions, now taken utterly for granted, separated the United States, at a stroke, from all other nations then in existence, where bloodlines determined rights and duties.

Needless to say, America's actual experience has fallen well short of the ideal of castelessness. Yet no other ideal has proven such a polestar for our aspirations, charting the Nation's history through tragedy and triumph to an ever closer realization of equality's promise.

Because of its brilliance in our firmament of principles, America has been illumined as a haven for the downtrodden from all over the world. Simultaneously, it has proven a beacon for use by our own oppressed to search the consciences of their compatriots, helping to discover within them the moral courage needed to undo injustice.

Considering the convulsions that rival claims of birthright have produced in other lands, I feel that this is not a light we should ever wish to see extinguished. In assessing the wisdom of specific affirmative action policies, we must have as a paramount concern always their effect on the health of this flame, not the material interests they may, in the short term, serve or slight.

Dr. Stephen H. Balch is President of the National Association of Scholars and a member of the New Jersey State Advisory Committee to the U.S. Commission on Civil Rights.

Joseph Bruchac

My grandfather Jesse Bowman was a dark-haired man. To anyone who asked, and some who didn't, his answer to explain his color was that he was "French" and "us French is always dark."

Grampa Jesse, who raised me, quit school when he was in fourth grade. Someone called him "a dirty Indian." He knocked that person down, jumped out a window, and never went back. His Abenaki Indian blood was the family secret that everyone knew and no one talked about.

Because my family walked the edge of that color barrier between darker skin and lighter skin, I grew up with an intense consciousness of prejudice and discrimination. Instead of hiding my Indian blood—which was less than Grampa Jesse's, for my father's family was Slovak—I spoke of it openly. In college I worked for civil rights. After college I taught in Africa. On returning to the United States I ran a college program in a maximum security prison. And through it all, I sought out tradi-

tional elders and listened to their common-sense wisdom.

When Ktsi Nuuskw (the Great Mystery) made us, Abenaki elders explain, we were given two ears. That way we would always be able to hear both sides of everything. But we have only one mouth. We were meant to listen twice as much as we talk. Listen!

In West Africa I found myself in the lighter-skinned minority. Yet, in Ghana, color did not define whether a person was avoided or accepted. Other things came into play—tribal origin, language, economics status, but race was not the be-all and end-all it had seemed to be in America. To this day, one of the first things we notice about a person in the United States is the color of their skin, especially if they look African.

The old Ewe fisherman sat with me on a log by the Gulf of Guinea. Together we looked at the old slave fort where so many left this shore in chains.

"We thought the Yevus, the white men, were taking us to eat," he said. "Why were they so hungry for us?"

How did Africans come to be in America? And how could, and can, we ignore this Nation's responsibility for the aftermath of slavery? Until we come to terms with this part of our shared history, we cannot put racial bias behind us.

"This Earth," an Onondaga Clan Mother said, "is our mother. A child does not own her mother. She cares for her."

How can we speak of civil rights without remembering the right of the natural world to exist? What good will civil rights do us if we cannot breathe the air or drink the water? In the next 40 years, unless we turn things around drastically, the degradation of our biosphere will accelerate. Our mother earth is sacred, the source of all life for us and the generation to come.

I flinched as the huge metal door of Comstock Prison clanged shut behind me. I had 13 more doors to pass through before I reached the classroom.

The gray-haired African American inmate mopping the floor looked up at me, looked back at the door, and smiled. "That's just steel, boy," he said. Then he patted his chest. "What's in here is stronger."

Working in America's prisons taught me how easy it is to demonize others. Most of my students were African American or Hispanic, imprisoned for drug-related crimes. Most were from poor families, uneducated, survivors of abuse. Despite disadvantage, their intellectual hunger and their desire to find a better way were so strong that I was never afraid among convicted felons. People in prison are like anyone else. Some are good, some are not, and some are changing in one direction or the other.

Yet American popular culture uses stereotypes to describe those we do not understand. Because we do not understand them we fear them. Because politicians use that fear for their own advantage, we build more prisons instead of accepting that there are usually cheaper, more effective alternatives to putting human beings in cages. And putting someone in jail does not imprison just one person. The innocent family of that man or woman or child is imprisoned emotionally, economically, and socially. The unchecked growth of prison populations in America affects us all. How can this Nation be free with a larger percentage of its population behind bars than anywhere else in the world?

"What do you do with guilt?" my Cheyenne friend said. He held up his hand. "If you have a cup of water and that water goes bad, what do you do with it?" He turned his hand over and smiled. "Pour it out."

Some solutions to our problems are so simple no one seems to listen to them. Acknowledging the errors of the past does not mean burying yourself in guilt. We need to see causes and outcomes, not just present dilemmas. Intolerance is rooted in ignorance. Crime is the child of poverty and abuse. Life is not just a human right but a right of all the living things. We are interdependent. Education is the heart of it. With unbiased education there are options and opportunity to understand.

If in the next four decades we can acknowledge more than one side or our history and educate all those who need education, then we, in the years to come, may fill our cups with the good water of peace.

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Robert N. Butler, MD

Back in 1968 I was prompted to coin the term "ageism." Stormy neighborhood opposition had arisen against the purchase of an apartment building in Washington as public housing for residents who would be old, poor, and many black. As chairman of the District of Columbia Advisory Committee on Aging I was involved in the acquiring of public housing for older people, and I was asked by a Washington Post reporter if the opposition to the purchase of the building in the particular neighborhood resulted from racism. In reply, I attributed the opposition more to "ageism."

Then I defined the new term: "Ageism can be seen as a systematic stereotyping of and discrimination against people because they are old, just as racism and sexism accomplish this with skin color and gender. Old people are categorized as senile, rigid in thought and manner,

old-fashioned in morality and skills.... Ageism allows the younger generation to see older people as different from themselves, thus they subtly cease to identify with their elders as human beings."

In the ensuing years, there has been a steady improvement in attitudes toward older people, in part due to increased media attention, better public education, and the growth of gerontology. Age discrimination, however, still occurs. In the important areas of work and health care, it is common.

The corporate downsizing and early retirement buyouts in the last decade have cost many Americans in mid-life and beyond their jobs, some of whom did not want to retire, some of whom could not afford to retire. Today the average retirement age is about 61.

Although the Age Discrimination in Employment Act has provided a mechanism to fight workplace ageism since 1967, success has been quite limited. Equal Employment Opportunity Commission statistics for 1996, as an example, show that only 2.6 percent of the complaints were resolved by settlement, while about 90 percent were dismissed. Often a year or more passes before the investigation of a complaint begins.

We need to change public mindsets about the value of older people as workers and as contributors to their families and communities. It is poor public policy to have 40 million people exiled from the workforce through either retirement or unemployment. Disability rates are declining among older people, who now on average have a longer active life expectancy. Society must find effective ways to maintain older people's productive contribution to society.

The next century should see further increases in vigorous, healthy life expectancy. When the baby boomer generation begins turning 65, one of every five Americans will be 65 and older. That will be a powerful voting bloc, and baby boomers may significantly transform society's conception of old age.

As for health care, Medicare should be preserved, and it and care in general should be made more responsive to the needs of older people. Although older people have benefited a great deal from Medicare, it is not well designed to meet their needs. Not geriatrics-oriented, it is geared toward covering acute care needs rather than chronic or long-term care needs.

Despite most patients being older people, few American doctors are even exposed to geriatrics training. In general, physicians do not invest the same amount of time with elderly patients as with younger patients. Doctors question why they should bother treating certain problems in older patients. Some even withhold reasonable treatment because of a patient's advanced age.

The fear of aging is undoubtedly at the root of discrimination against the old. While progress against age discrimination has been made, our fears about aging are so deep that ageism will probably never be totally eradicated. That is why we must maintain a vigilance against denial of care or income on the basis of age.

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Jorge Chapa

The rapid growth of the Latino population of the United States is a key feature of the American landscape in the last part of the 20th century. During the 1970s, the Latino population grew by 57 percent. During the 1980s, it grew by 54 percent. These rates stand in sharp contrast to the rates for the Anglo (white non-Latino) population, which grew by 1 percent during the '70s and 4 percent during the '80s.

About half the recent growth in the Latino population is due to natural increase; that is, their birth rate is higher than their death rate. In fact, the Latino population would have grown rapidly even if the number of Latino immigrants had been zero during that period. Immigration was responsible for the other half of the recent population growth. The magnitude of recent migration and the rapid population growth are the motivation driving many of the recent efforts to restrict the civil rights of Latinos.

Although the current efforts to stem Latino civil rights are mainly reactions to recent immigration, Latino civil rights have faced severe restrictions since a large part of Mexican territory was annexed in the 1840s. Many of the Latino landowners were victims of illegal land grabs by the Anglo immigrants to the southwest, who used physical and political intimidation. Many Anglos of that period explicitly considered Latinos to be an "inferior" race. The Mexican-origin residents of Texas were subject to prejudice and contempt, as David Montejano has shown in his 1987 book "Anglos and Mexicans in the Making of Texas, 1836-1986."

That ignominious beginning of restricted Latino civil rights in the United States was the foundation for other gross civil rights violations in the 20th century such as blocked access to the ballot box, *de jure* segregation into inferior schools, residential segregation, and widespread employment discrimination, again as displayed by Montejano and others.

Such violations of Latino civil rights are not only part of our past. Recent social science research provides

strong evidence of discrimination against Latinos. For example, a study printed in the September 1993 Social Science Quarterly found that while Hispanic judges gave similar sentences to Anglo and Hispanic convicts, Anglo judges gave much severer sentences to Hispanics than to Anglos. As other examples, a number of matched-pair "audits" where Anglos and Latinos with substantively identical credentials applied for jobs, housing, or mortgage loans convincingly showed a high degree of discrimination against Latinos, as reported in the 1993 study "Clear and Convincing Evidence: Measurement of Discrimination in America," published by the Urban Institute Press, and a June 1994 article in the American Economic Review.

Those audit studies were conducted because of the well-founded fear that sanctions imposed by the 1986 Immigration and Control Act against employers who hired undocumented immigrants would also make employers reluctant to hire Latinos who were U.S. citizens or documented residents.

The fact that Latinos have faced restricted civil rights through much of their history in the United States and that they currently are subject to racial discrimination would be reason enough to be pessimistic about Latino civil rights in the next century. But there is more. Recent initiatives, court cases, and laws are likely further to restrict Latino rights.

The first of these is California's Proposition 187 passed in 1994, intended to deny government services to undocumented immigrants. While Proposition 187 was targeted against undocumented immigrants, there can be no doubt that its blunderbuss impact has hit Latinos who are citizens or documented residents as well. Robert D. Hershey, in an April 27, 1995 New York Times article reporting a sharp increase in Latino unemployment rates shortly after the passage of Proposition 187, noted: "Many Latino workers are held back by outmoded skills, job inexperience and weaker educational credentials. But these days they are also finding themselves increasingly subject to intense suspicion, resentment and, in many cases, outright discrimination." He quotes San Diego Deputy Mayor Juan Vargas: "There's no doubt that discrimination has increased against Latinos. Proposition 187 has created almost a crisis in the Latino community. It has employers panicked." Since California has about 30 percent of the Latinos in the United States, the State proposition could well have an impact on national Latino employment statistics.

California has also led the way against equal access to higher education of Latinos and other minorities, first in the decision by the University of California Regents to end their affirmative action programs and then by the recent passage of Proposition 209 ending affirmative action programs in all State institutions. The number of minority students in many higher education programs has already dropped drastically.

A quarter of the U.S. Latino population resides in Texas. There the U.S. Fifth Circuit Court's *Hopwood* decision, banning the consideration of race in higher education admissions and financial aid decisions, has also decimated minority enrollments. Efforts to bring similar suits in all regions of the U.S. are under way.

My studies demonstrate that Latinos, even with the enhanced opportunities offered by affirmative action, have not been attaining educational, economic, or occupational parity with Anglos despite having been in this country for many generations. Even Latinos who are the U.S. born children of U.S. born parents have extremely high dropout and failure rates.

Until local, State, and national leaders are willing to acknowledge and address these facts, policy interventions that can mold a better future for Latinos seem unlikely. Still, Latino demographics lend this cloud a silver lining: As the population and voting prowess of Latinos continue to grow during the next century, politicians and other decision makers may well begin paying better attention to Latino civil rights.

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Harry Edwards

The problem of the 21st century will be the problem of diversity in all of its expanding variations and complexities. Domestically, black-white relations will continue to be at the core of the American human relations drama if for no other reason than the two groups have traveled so far and so long together locked in a network of mutuality and competing interest. Diversity more generally, however, will increasingly occupy center stage not only in the United States but in international affairs as well. Indeed, by comparison to the burgeoning problems of diversity, the problem of the color line may well appear in retrospect to be far less complicated and intractable—a daunting notion considering the fact that it has only been with the greatest of difficulty that we have managed to stagger and stumble forward in dealing with race alone over the course of the 20th century.

Here at home, among the most powerful and relentless factors influencing a shift toward a focus upon racial and ethnic diversity have been the mass media. Together with other communications technologies, they have provided the most effective dissemination of images and interpretations of changing intergroup relations in the history of this Nation. Meanwhile, dramat-

ic population changes have utterly reconfigured the human face and profile of America, making it increasingly impossible to even pretend that black-white relations effectively exhaust the principal challenges of intergroup relations in this society.

Within 30 years, one in every three people in the United States will be a member of one of America's least assimilated racial or ethnic minorities. Many of these groups, either singularly or in multi-ethnic combination, will outpace blacks and whites relative to proportionate population increase over the next 40 years. While collectively white ethnic populations will increase by 24.8 percent over that period and blacks will increase by 68.3 percent, Hispanic (or Latino) populations will increase by 186.8 percent and Americans belonging to other minority racial and ethnic groups—Asian Americans, Pacific Islanders, Native Americans, and others—together will register a 78.7 percent population increase. By the year 2050 only 53 percent of the U.S. population will be composed of traditional white ethnic groups.

Expanding racial and ethnic diversity constitutes only the most obvious dimension of challenges already well this side of the social-political horizon. Both within and between groups, differences in class, gender, age, religion, sexuality, and even such emerging classifications as technoclass status (or relative level of technological literacy) will increasingly cross-cut racial and ethnic categories, at once confounding and eroding the credibility of any singular and unmitigated emphasis upon race and ethnicity as defining group features. (For example, within black society we will never again be able to presume that dealing with the racial problem automatically addresses also the array of problems confronting black women. A great deal of what happens to black women happens to them not because they are black but because they are women—and much of this happens at the hands of black men. We must now, at long last, deal with this situation as a condition impeding black freedom no less than racism.)

These developments portend an end to established traditions of group identity and solidarity and the majority-minority relationships that have been fostered. They also promise alteration of expectations and standards of conduct and operations in virtually every realm of American institutional life, from the media, the economy, and education to medicine, law enforcement, and popular culture.

Globally, over the last half of the *20th* century in particular, geopolitical and technological developments have greatly altered the character of diversity and its significance as a factor in human affairs. With the demise of European colonialism in the wake of World War II and, more recently, with the collapse of the Soviet Union and the consequent end of the Cold War, long standing interethnic rivalries, tensions, and animosities that had been suppressed by dent of powerful centralized bureaucracies and military might have been loosed, too often to evolve toward deadly, even genocidal outcomes.

The sheer numbers of demographic and political fractures potentially exposed are bewildering. Throughout the world there are some 3,500 population groups that describe themselves as nations while only about 189 such groups are actually recognized as nation states by the international community. Of these 189 nation states less than 10 percent are ethnically homogenous, and only half have one ethnic group that accounts for as much as 75 percent of their populations.

In Africa a thousand different ethnic and language groups are squeezed into 50 or so recognized states. Within the collapsed political orbit of the former Soviet Union it is estimated that there are at least 125 ethnic and minority disputes simmering, with about 25 of these classified as potentially armed confrontations.

In the international sphere, as the only remaining super power the United States clearly has the economic, political, and military capacities to project its power globally. But in a media saturated, computerized world its moral authority to influence global affairs will become increasingly linked to domestic human relations developments. As Zbigniew Brzezinski points out in his book "Out of Control: Global Turmoil on the Eve of the Twenty-First Century," power capacity in the absence of moral authority is impotent. And nothing will have so great an impact upon determining the world's vision of America's moral authority to influence global developments as this Nation's handling of its own diversity-related problems.

And so as we approach the *21st* century, the alternatives confronting us as a society are clear. Either we can permit South Central Los Angeles and Oklahoma City, among other tragedies, to become harbingers of our future, or we can commit ourselves and our resources to creating a society with neither the isolation, material fetishism, and spiritual sterility of the suburbs and privileged gated enclaves, nor the desolation, material deprivation, and spiritual degradation of the inner cities and other alienated and dispossessed backwaters of our society. The wealth of energy, creativity, and talent potential inherent in our treasure trove of human diversity will either propel this Nation to hitherto unprecedented heights of purpose, possibility, and productivity or drag us all down into an ever-deepening spiral of social-political madness toward a national nervous breakdown.

In sum, we are compelled to seek seriously and earnestly to resolve the riddle of this Nation's motto, *E*

Pluribus Unum (one from many), not in pursuit of some abstract noble sentiment but in pragmatic recognition that unity within the context of our expanding diversity has now become an absolute necessity of social-cultural viability and national integrity.

Dr. Harry Edwards is a professor of sociology at the University of California, Berkeley, and the author of four books and numerous articles, many about athletics and race.

Amitai Etzioni

We need to know the conditions under which we may safely and justifiably believe that our special moral obligations to people of color have been fulfilled. We need a clearer vision of the moral society to which we are generally aspiring and, particularly, the optimal relations between races.

I do not mean a full-blown design, but rather a sharper basic conception. Are we seeking a society in which all racial differences will disappear or become irrelevant, one in which group rights will no longer be needed or recognized? A color-blind society? Or are we working for a society in which various groups will be *de facto* culturally and socially segregated but legally and economically equal? Or can we envision some kind of community of communities, pluralism within unity, a society in which we share several basic bonds (such as the Bill of Rights, democratic processes, and mutual respect, not just tolerance) but otherwise enjoy and benefit from an enriching diversity?

One reason for a megalogue (a society-wide dialogue) is if we are clearer about where we are headed, the view of practices we are following now will be different. For instance, several policies that might be viewed as temporary measures according to one future vision might be seen as permanent features of another. Take for instance bilingual education, in which children of new immigrants are able to take classes in their primary language. Such education might be viewed as a transitional entitlement if we envision a color-blind society as our ideal, but viewed as a lasting feature of our educational system if our aim is a society full of groups that are separate but equal.

The same holds for set-asides and several affirmative action programs. It might be visionary to believe that we could reach a point at which no special programs would be needed to help those who are disadvantaged. But can we even realistically envision a society in which it is justified to scale back gradually such programs in the long run (even if they are first increased multi-fold in the short and intermediary runs)? Or do we note that no society has ever acquired a high, let alone full measure of social justice, and hence expect to have one form or another of compensatory public programs and set-asides, and reverse discrimination, in perpetuity?

Aside from helping us frame various policies differently according to where we are headed, such a vision of a future ideal would help many in the society psychologically and politically. I will focus here on those who are willing to recognize that society has done great injustices to various minority groups and that our society must deal with the after-effects of these injustices. Although I am unaware of direct evidence to this effect, I suspect, based on general psychological considerations and some informal reports, that numerous whites and quite a few beneficiaries of affirmative action would find it very compelling if we could establish a stage at which what I will call "special programs and special rights" for various people of color would be ended.

Many whites are ambivalent about affirmative action, set-asides, and other such programs. On the one hand, these whites recognize that grave injustices were done to minorities, especially African Americans, and that amends should be made. On the other hand, they object in principle to discrimination in reverse and consider it antithetical to their own interests. They would find it easier to deal with their ambivalence if we could define what it would take to make up for past injustices, a point after which we would no longer need special programs for minorities. Hence the attraction of the idea of reparations.

I hypothesize, on the basis of rather informal interviews, that whites would find it more acceptable to support a program that would grant minorities considerable educational, training and other benefits at a given level and for a given period—after which whites would be considered to have paid their debt and thus able to put the matter behind them. It is not only that few people like to be made to feel guilty forever; it is also, as a rule, not possible to make them feel guilty endlessly. (In suggesting that whites would prefer to bring the matter to closure I am not suggesting that past injustices should be forgotten or wiped out of history books; but that those corrections that can be made by reparations, apologies, and other similar measures would be considered to be accomplished, and that atoning for past injustices with special programs would no longer be called for.)

There is, however, one consideration that outweighs all this quest for closure: Discrimination is not merely a matter of past injustices. As studies by the Urban Institute and others have shown, the American society today is not free from social injustice. For instance, when African American couples and white couples seek to rent an apartment or buy property, even if they display the same economic class indicators and identical

resumes (as parts of tests done by researchers), whites are still systematically preferred. The unavoidable conclusion is that before one can consider ways to bring the treatment of past injustices to closure, we must find ways to end current ones. There cannot be nor will there be any closure—no healing, no end to interracial rifts—until discrimination stops.

Dr. Amitai Etzioni, Director of the George Washington University Institute of Communitarian Policy Studies, most recently wrote "The New Golden Rule: Community and Morality in a Democratic Society," which won the 1997 Simon Wiesenthal Center's Bruno Brand Book Award for tolerance.

José M. Ferrer III

Does anyone care any more about race or about minority rights? What a question. Of course everyone cares. Right-minded, wrong-headed, enlightened or benighted, strong views are privately held in each heart and mind. But out in public down at ground level, an atmosphere of weariness has taken all wind out of the sails of change. In classrooms, courts, legislatures, even the NAACP, the energy is gone from affirmative action, integration, and civil rights initiatives. The President—strongly committed to racial justice personally—risks little of his political capital and settles instead for proclaiming a year of dialogues, a sure sign that there is little of it.

On every side, the so-called fresh thinking is all about retreat. We've tried affirmative action, say majority advocates, and it's done its work—or it doesn't work. Either way, it's time to stop giving an extra advantage to the disadvantaged.

For their part, minority activists worry about effort wasted on banging their heads against walls. Neighborhoods persist in being predominantly black or Hispanic, some are angrily concluding, so put money and commitment instead into making those areas and schools better. Accept the fact of limited separation, and build inside the battlements.

The two camps disagree bitterly, then come to the same place. We have reached out and even adjusted standards, argue whites. We have tried everything; we are tired. Hardly everything, reply non-whites. We still have to perform better than whites to succeed, and basic white attitudes have never changed. We, too, are tired. So with the millennium marker near at hand, is the United States giving up its push for greater equality? Has the extraordinary civil rights era run its course, now to give way to a season of *laissez faire* and unprodded change?

In many ways, it would seem so. But such languor can't last. The steam may have gone out of social justice innovations, but the steam of frustration will build up. Non-white minorities will soon be a majority in the United States, and they will be seeking better opportunity. The power structure will need to learn to be more inclusive. You don't have to be a weatherman; just check with your local demographer. And if the changing United States is not much force, gaze across the shrinking waters at the changing world. Multiculture is not merely trendy; it is the future. We are all being drawn together, and those who embrace and manage it will be the next big winners.

The American experiment—despite the present lassitude—is the best equipped to pioneer that path. Short of the ideal as the United States is, no other country has come as far. And the next century will be for those who can cross cultural borders as easily as does a plane or a phone call. It is self-interest that should revitalize the push for multi-ethnic equality.

Seeing that self-interest does not come naturally, though. Rather, it confronts an ingrained prohibition. In our say-it-all society, is any subject more taboo than race and ethnicity? Sex? Gender? Politics? Heated topics all. But they are fought about openly, even among those who disagree. Conservatives may say of liberals, or women of men, that they just don't get it. Across the ethnic divide, though, not getting it is all but willful. On this topic, we are far more intensely guarded, whispering deepest beliefs only to our own. Talk of the white devil among minorities is home talk, close-friend talk. Coded references among whites to the black or yellow threat—or to brown or red laziness—are preceded by a furtive check for a face of color nearby.

The views may no longer be fit for polite company, but they are not surprising. Such demonizing is ancient and familiar, communally imprinted with the pigment like other basics. We suspect that people who look different are dangerous. But that survival mechanism, which no doubt served primitive man, today damages our ability to thrive.

The old instinct will not yield without a renewal of effort, however. If we are not pushing forward, we will be pulled back. The world will not allow Americans to remain weary for long. The lessons are clear enough for kindergarten, where they should start. Interdependence, trade, global communication all bring prosperity, security, and opportunity; racism, tribalism, ethnocentricity bring war, violence, and ruin.

Americans like a little idealism, but they like practicality better. For the moment, it may look easier to stop struggling for equality, but soon enough it will be harder to live with the consequences. And the rewards—more energy and innovation at the top, less poverty and dysfunction at the bottom—are too great to pass up. It is time to get back to work.

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Elizabeth Fox-Genovese

As the struggle for civil rights nears the half-century mark, the need to assess its legacy presses ever more urgently upon us. None should question either the valor with which that struggle has been waged or the value of its noblest goals. Yet troubling questions persist. No doubt, the very waging of the struggle to secure equal rights for African Americans, which is where we began, has vastly and beneficially transformed our social landscape. Above all, it has legitimized the notion that all Americans, regardless of their race or sex, deserve—are entitled to—the benefits of full membership in our social, political, and economic life.

The success of this campaign to legitimize the goals of the struggle has not merely bequeathed us greater diversity in all areas than any should have dared to hope a scant 30 years ago, it has encouraged the members of countless social groups to borrow the language of civil rights to justify their own claims for enhanced recognition and advancement. And most of them have proved wonderfully successful in doing so. To take but one (albeit uniquely important) dramatic example, women have improved their position in society, the workplace, and political life almost beyond recognition. Yet the definition by the women's movement of civil rights as equal rights has imposed significant costs upon society at large, perhaps especially upon African Americans, in whose name the struggle was initially launched.

Again, to take one example, in implementation women's rights have been taken to mean that women should have equal access to all institutions that had previously been restricted to men. Whether our society should tolerate all-male clubs may remain a matter for reasoned debate—and it would be possible to make the case that, under limited circumstances, it should. But clubs are one thing, and educational institutions are another. During the past few years, feminist activists have insisted that women's civil rights require the abolition of single-sex schools, at least for men. The high public drama in this struggle came with the feminist assault on the Virginia Military Institute and The Citadel, both small, publicly-funded, all-male, military-style colleges. When the VMI case finally made its way to the Supreme Court, the government lawyers came within a hair's breadth of establishing that gender deserved the same strict scrutiny as race. On this specific count, they failed, but they did convince the court to order VMI to admit women or go private.

What the approving press did not report in its celebrations of the victory was the cost. The admission of women to VMI and The Citadel will almost invariably result in a decrease in the number of poor African American men, who typically cannot match middle-class women in SAT scores and grades, but who have usually scored impressive successes if admitted. Perhaps even more important, the feminist victory over VMI signaled the death of the various imaginative attempts to provide single-sex schooling for poor African American children of both sexes—all-boys high schools in Detroit and Philadelphia, an all-girls high school in Harlem. Since the advantages of single-sex schools for a significant number of both girls and boys are well documented, this particular victory for civil rights may turn out to be Pyrrhic indeed.

In the end, however, the greatest cost of these recent trends may fall upon the cohesion and integrity of families, especially among the poorest Americans, especially among African Americans, and, above all, among the poorest African Americans, 60 to 70 percent of whose children are now born to single mothers. The goal of the civil rights movement was purportedly to strengthen the long-range position of African Americans within American society, the reaching of which necessarily entails ensuring the ability of African American children to compete equally and successfully for educational positions and the economic opportunities that flow from them. In this perspective, the promotion of the rights and interests of individuals can never be regarded as successful unless that promotion contributes to the health of the families and communities from which the individuals come. A strategy to ensure individual success that draws its beneficiaries away from their families and communities can only result in the wasteland that today confronts the poorest African Americans with greater problems and disfunctionality than their forebears could ever have imagined.

One need not slight the incalculable and heartening benefits of the struggle for civil rights in order to acknowledge that the movement's initial benefits are today at high risk to be erased by the disintegration of the families and communities for lack of which the next generation is being condemned to anomie and despair in front of our eyes.

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Jon Funabiki

What are the chances for ensuring social justice for all in the United States? None—until and unless we also work out the inequities in how the news media cover and portray racial and ethnic minorities in this Nation. Yes, the civil rights agenda is long and complex, but it's important to keep news media reform high on our list.

I keep a copy of an old newspaper cartoon close to my desk as a personal reminder of why this is so important.

The cartoon appeared in a San Francisco newspaper in 1943. It shows Japanese American men, drawn with ugly buck teeth and thick eyeglasses, reciting the pledge of allegiance in a World War II concentration camp. The caption explains that since "most of the Japs" cross their fingers during the pledge, it's impossible to separate the loyal from the disloyal, and that's why it was imperative to lock up 120,000 Japanese Americans (two-thirds of whom were born in the United States, including my parents) in remote concentration camps for the duration of the war.

For me, the cartoon is a frightening reminder of how the news media can feed, and even whip up, racism and xenophobia in times of social, political, or economic stress. Does it happen today, more than 50 years later? Unfortunately, yes. Granted, it's usually far more subtle than what appeared in 1943. But almost every scholarly study and thoughtful critique of today's news media draws the same conclusions: Television, radio, and newspaper coverage presents a distorted and stereotypical picture of racial and ethnic minorities in America. They show, for example, that compared to whites, African Americans and other racial minorities show up most often in "negative" stories like crime and welfare. Hispanics and Asian Americans often are stereotyped as illegal immigrants or portrayed as "invaders" moving into white neighborhoods and "buying up" businesses and properties (as if they had no right to be there).

The problems aren't necessarily intentional. They can spring from time-worn practices of journalism, the pressures of competition, and the cultural blinders worn by the people who operate and own news companies. Whatever the cause, the media's distortions can shape public opinion, contribute to racial tensions, and influence public policies in ways that adversely affect minority groups.

Therefore, I can't help believe that vestiges of the "Asian invasion" sentiment that filled the U.S. news media during World War II (and the preceding Yellow Peril movement in the late 19*th* century) colored the coverage this year of what the press quickly dubbed as the "Asian fund-raising scandal," casting aspersions on all Asians and Asian Americans alike. Given the "Arab terrorist" stereotype fed by the news media over the years, I also am not surprised that Arab American shopkeepers and Muslims in a neighborhood in Brooklyn began to be taunted by passers-by shortly after two Arab immigrants were arrested on bomb-making charges this year. Considering the gulf that separates most newspapers and television stations from the communities of color in their cities, it is not hard to comprehend why most journalists were shocked to learn that black and white Americans had vastly different perspectives about the O.J. Simpson case or that poor and minority neighborhoods throughout the country continue to seethe with discontent—witness the 1992 Los Angeles riots.

Riots. They have become our historical markers. For many, the 1965 race riots in Watts and other inner city areas served as the wake-up call for adding journalism reform to the civil rights agenda. One conclusion of the Kerner Commission, which was appointed by President Johnson to investigate the root causes of the riots, was that the news media were partly to blame. The news media's failure to cover the black community adequately and to hire black journalists contributed to society's neglect of the racial inequities that fueled the urban discontent of the times. "The media report and write from the standpoint of a white man's world," the commission said. "(The press) repeatedly, if unconsciously, reflects the biases, the paternalism, the indifference of a white America." We can thank the Kerner Commission for spurring some of the first major programs to integrate newsrooms. Led by enlightened leaders in journalism, some progress has been made in hiring and in reducing stereotypical portrayals.

Three decades later, however, neither the Nation nor the news media have conquered the problems of race. As we enter the 21*st* century, demographic, social, and economic trends have made life in the United States richer and more complex. The need for improving journalism is that much more urgent. It is often said that the news media reflect society. If so, the distortions in the mirror must be polished clean.

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Herbert Gans

The statistical indicators suggest that the racial inequality of America's blacks has been reduced since World War II, but no one lives by statistical indicators. Once people are treated more equally, they think that they have the right to consider themselves equal. Then their expectations rise, as they should, and they are properly disturbed when progress slows down drastically.

Today, blacks are experiencing that slowdown, and a major (though not only) cause is the shape of the national economy. Officially, that economy may have been booming for much of the 1990s, but in reality it has been mainly growing for people at the top, shrinking for those at the bottom, and spreading insecurity in the broad middle. This makes life harder for many, who then become more self-protective and less generous toward others.

On the whole, blacks suffer more than whites when the middle and lower income levels are pressed economically. In addition, whites are the country's dominant race, and they can take their economic insecurity out on blacks. Furthermore, conservatives have obtained more political power thanks in part to the declining power of the unions and can express their anger toward the poor and the black. Although the polls continue to sound a theme of racial tolerance, affirmative action programs are being terminated across the society, while poor blacks are punished, for example by being imprisoned more often and receiving ever less antipoverty support.

At the same time, whites who once blamed their troubles on Soviet Russia Communists have had to turn to domestic scapegoats, with blacks and especially poor blacks bearing the brunt of the blaming. Young black males are blamed for drug sales and violent street crime, and young women, for sexual immorality and unmarried motherhood.

While illegal immigrants are also being used as scapegoats, some other immigrants are being used to make life more difficult for blacks. Although these newcomers are nonwhite, many are affluent and well educated, allowing whites to designate them as "model minorities." The poorer newcomers are perceived as harder working and more deferential employees than blacks—the result of their willingness to accept immigrant world wages, hours, and working conditions. Concurrently, with white-Asian and Anglo-Hispanic intermarriages rising at rapid rates (and far faster than white-black ones), whites have used the newcomers toward whom they are favorably inclined to create a category of morally and otherwise deserving nonwhite races, with blacks being defined as the undeserving race.

What the future holds depends in good part on what happens to the national and global economies.

If the American economy recovers and can restore living-wage jobs and job security to the middle class and also reduce poverty, and no major political or cultural problems come up, whites might feel less threatened by blacks, who would at least be treated as a deserving race.

If the economy worsens, however, unemployment rates will rise and job security will shrink further for everyone, with poverty becoming yet more pervasive than now, and antipoverty programs eliminated completely. If and when the country discovers that it has more workers than it needs and will ever need again, and has to decide which of its workers will be deemed superfluous, poor blacks will surely be among the first. Then blacks will be considered a yet more undeserving race.

Eventually, enough Americans must realize that they cannot leave the health of the economy up either to global or national *laissez faire*, or the political control of that economy to the big corporations and their friends. In the long run, every modern economy will probably have to include some form of permanent welfare state, but that welfare state can only be secured by political action.

The country's non-rich majority has to learn that it has the power of numbers to push for such a welfare state—as voters, as active members of lobbies and pressure groups, and when necessary as demonstrators and marchers. But first people must overcome the political impotence and despair that normally besets the economically and politically powerless, especially in America, which has always lacked a Workers' Party and the social-democratic tradition that have supplied political support for European welfare states.

Neither a healthy economy nor a welfare state will be color-blind, however. Thus, neither will eliminate American racial inequality or racism, and these will have to be fought with the political and social strategies that have reduced racial inequality over the last half century. But unless Americans can maximize their economic security, whites will continue to take their anger and fear out on blacks, making it that much harder ever to put an end to racism.

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Nikki Giovanni

Even when I was in high school, I couldn't understand why all the studies were of black people. It

seemed to me even then that someone ought to study white people since black people weren't the ones who were lynching men and women, bombing churches, shooting people because they wanted to vote. And I well remember the murder of Emmett Till which I still think is the defining event of my generation. It didn't make sense to me that two or maybe three grown men could come in the middle of the night and take that young man from his grand uncle's home and torture him to death. And then be found not guilty by an all-white jury. And then sell their story to Life Magazine. And nothing was ever done. And yet people wanted to study black people to see what was wrong with us and why white people didn't want to integrate with us. And I guess the real secret was that we didn't want to integrate with them but we did feel that public places should accommodate the public, whether it was Woolworth's (which just HOORAY went out of business) or a public swimming pool or public schools. I remember all the arguments about your sister and I just loved James Baldwin's retort: It's not the white man's daughter that he's afraid I'll marry; it's his wife's daughter. And Baldwin was so cool that an entire generation wanted to be writers. Even then I knew there was something wrong with white people who would be as lowdown as many of them were. I keep wondering when will they go out and measure the heads of white folks and ask them questions about why they hate and why they murder but no one did and no one has and that's a shame.

The composer Andy Razaf wrote a song entitled "Black and Blue" in which he laments the color of his skin. "I'm white inside" the song says at one point and I still wonder what does that mean? Even white people don't want to be white inside. Even young white boys and girls listen to rap and before that rhythm and blues and before that blues and before that jazz because they needed something to soothe their souls. Why racism won't go away then has to be because someone benefits from it.

I know I don't. I know affirmative action is only right. I know that segregation was another word for affirmative action only when we reach out to white people we call it incentives and when we reach out to people of color we call it welfare. When we want white people to change we offer them wonderful things; when we want people of color to change we increase the misery. Something is very wrong. When a nation will spend over $140,000 per cell to keep a man in prison paying out upward of $38,000 per year because this person stole something or, even sillier, sold or used some drugs then something is quite wrong. I use drugs legally. I had a lung operation that would have been impossible without drugs but I can't see the difference. My lung had a cancerous tumor that if it hadn't been removed would have killed me sooner rather than later. Some people are born to lives that eat at their spirit as cancer eats at the body. I'm glad I have hope. I'm glad I can read and reason. I'm glad I can take the time to have an overview of not only America but the Earth and now with Hubbell's Eye On The Universe I can speculate about creation itself. But a lot of people wake up in the morning on sidewalk grates, in city parks, in doorways of buildings, with no place to go that is safe and warm. A lot of people wake up in the morning and they cannot brush their teeth or comb their hair or wash their hands. They do not hear the burping of the coffee pot, they don't smell the toast. They do, I'm sure, feel the eyes turning away from them. They do know they are hated and feared. And surely they must wonder: How do I get through this day? Most of us have something to do. Even billionaires keep a schedule. Why do you think some people never quit working? Because work is defining; it tells you not only what skills you have acquired but also who you are. If work is good enough for Bill Gates it's good enough for the former soldier sleeping in our parks. Waiting for a gang of white boys to come along and make sport of beating him up.

So, certainly, things have changed. And there is a lot to do. The next century is right on us. Policemen need to give up their guns. Society needs to dismantle all our prisons. If we need to detain people a local jail should be sufficient. We need many more doctors; we need many more social workers; we need lots more teachers. And, yes, a lawyer or two to keep the stew honest. We need to be proud of the taxes we pay. We need to tax the wealthy dead at 100 percent. It's an abomination that the dead rich control "their" money while the living must suffer. We need a new definition of neighborhood, community, society. We need to make white America tell us why they hate and fear and hoard. We need a new definition of life so that we can find a truer definition of death. We all need a definition of responsibility. And I don't think there is any one key or any easy answer. There are some clearer answers and some difficult decisions but our first decision must be to change from the rather hateful, selfish species we are into something a bit better. I hope there are aliens out there and I hope they come to Earth. We need another perspective on the possibilities. Civil Rights have to somehow be tied to *civilized* humans. So that is the question: What is a civil human?

Poet Nikki Giovanni, a professor of English at Virginia Polytechnic Institute, recently published the poem "Knoxville, Tennessee." Collections of her poetry include "The Selected Poems of Nikki Giovanni" and "The Love Poems of Nikki Giovanni."

Paul Hoffman

Next year will mark the 50th anniversary of the Universal Declaration of Human Rights. The Universal Declaration and the large body of international human rights law developed in the last half century have had an enormous impact on the development of human rights standards through most of the world. The impact of these standards has been less important in the United States.

With the decisions of the Warren Supreme Court striking down American apartheid and giving real meaning to the Bill of Rights in the years immediately after the adoption of the Universal Declaration, reliance on international standards may have seemed unnecessary. Our own Constitution seemed to be capable of providing the rights we needed.

Times have changed. Civil rights advocates in this country should take a new look at international human rights law.

It may come as a surprise to many civil rights lawyers and advocates that the United States has signed on to a number of international human rights treaties in recent years. The United States is now a party to the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention Against Torture and All Other Forms of Cruel, Inhuman and Degrading Treatment or Punishment. These treaties are now the "supreme law of the land," and our government is obliged to enforce these new promises by executive, legislative, and judicial action. With any luck, the United States should ratify the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child before too long.

Many of the standards in these treaties are very similar to existing U.S. civil rights law and policy, but they also offer broader rights than existing U.S. law and practice, providing new opportunities and tools for U.S. civil rights advocates. For example, Article 10 of the Covenant on Civil and Political Rights provides that "all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person." Conditions in many of our prisons and jails fall far short of this fundamental mandate of decent treatment.

International human rights treaties also provide broader anti-discrimination norms than existing U.S. law and practice. Under Article 1(4) of the Race Convention "special measures" for the advancement of certain racial or ethnic groups or individuals if necessary to ensure that these groups or individuals have the equal enjoyment and exercise of their human rights "shall not be deemed racial discrimination." The international understanding is that affirmative action programs may be necessary to achieve genuine equality of treatment in a society. There are many other areas in which international human rights norms offer new possibilities for U.S. civil rights advocates.

Beyond these specific examples, the Universal Declaration of Human Rights is based on a profound belief that economic, social, and cultural rights are indivisible from civil and political rights and must be recognized and respected as fundamental human rights. Thus, problems of homelessness, joblessness, inadequate health care, and absence of educational opportunity are human rights issues, and individuals have rights to share in the bounty of their society.

U.S. civil rights advocates will find many new tools in international human rights law and in the institutions dedicated to the enforcement of these rights. The United States must now regularly defend its human rights record before these international institutions. Only if U.S. civil rights advocates are there to hold our government accountable for its international promises will this process be successful.

The last few decades have also seen the development of an increasingly vocal and effective international human rights movement. U.S. civil rights advocates must become a part of this movement. We have a great deal to offer to human rights advocates struggling for their rights in other parts of the world. We also have a great deal to gain by joining in the international human rights movement.

U.S. opponents of the death penalty have learned this lesson. The world is gradually eliminating the death penalty in recognition of the human dignity of every person, even those who have committed serious crimes of violence. More than half the world has abolished the death penalty in law or fact. Recently, the new South African Constitutional Court held that the new South African Constitution prohibited the use of the death penalty as a punishment. Though the process may take time, the United States will not be able to ignore these international developments forever.

The next century is likely to see the flowering of an even more vibrant and powerful international human rights movement. Just as the economies of the world have been affected by globalization, human rights struggles cannot be confined within national borders any longer. We must all be part of the larger human rights struggle.

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Nicolás Kanellos

To date, the civil rights effort has justifiably focused on the removal of structural barriers to people leaving behind the heritage of slavery, servitude, segregation, and inequality that they as a race, ethnicity, religious group, or gender have suffered in the United States. However, no amount or quality of legislation or court decisions has changed the attitudes that have been promoted by two centuries of acculturation through schools and media, whose only purpose has been to ensure the privilege and preeminence of the Euro-American managerial class in this country.

In support of that preeminence has been an ideology of Euro-American racial and cultural superiority, which historically justified U.S. expansion southward, westward, and beyond the U.S. mainland, especially in Spanish America. That Manifest Destiny and other racial and nationalistic doctrines were disseminated and reinforced precisely at the time when public education, mass media, and U.S. military and industrial ascendancy were beginning explains to a great degree how rooted racist and nationalist attitudes have remained in our schools and cultural institutions.

Despite post-World War II desegregation, the schools and cultural institutions in this country, always reinforced by the media, are still the principal purveyors of the inferiority and even worthlessness of minority culture. That this is disseminated broadly in spite of the vast expanse of United States civilization that is built on the accomplishments of these very minorities and women only attests to the power of control in the hands of the gatekeepers and managers of information in this society.

As a minority publisher, it is very clear to me how the mainstream editors, publishers, reviewers, wholesalers, distributors, textbook adoption committees, acquisitions librarians, pre-binders of school materials, and even too many teachers clear the path for distribution of Anglo American mythology while ignoring or creating barriers for culturally authentic and true materials that portray the breadth and depth of American history and culture. Yes, there is censorship, and it is committed more subtly by the middlemen, the gatekeepers, than by any overriding single, perverse intelligence at the head of a publishing-media conglomerate.

The same is true of the gatekeepers at galleries and museums, film and music distribution companies, television producers and networks, and myriad other disseminators of expression and thought. In all of the above, the usual excuse for withholding our story and our heritage—it is the heritage of all Americans, not just minorities; and we are all victims—is lack of profitability. This is a specious argument, however, given our numbers in this multicultural America of today (and more so in light of the demographics of tomorrow).

The next battles must be fought with the school boards who accept the same old performance from within and without: curriculum planners and librarians who do not force wholesalers and distributors to supply relevant materials to the overwhelmingly multicultural student bodies; textbook publishers that persist in excising our story from the history and literature books; government funding agencies that continue to finance the study of the overly studied founding white fathers at the expense of the unstudied writings, philosophies, and contributions of the non-white makers of this Nation; groups and individuals who wrap themselves in the flag to attack our Constitution by demanding that our culture be developed and taught only in English.

We must educate civil rights and grass-roots community action groups that the cultural battle is just as important as political and economic empowerment: we just cannot have any more of our folks in power and wealth who are brainwashed and whitewashed. Don't get me wrong: I do not advocate separation of the races and cultures nor forgetting or discounting our splendid European heritage. But only when our stories are told together will they ring true. And only when we acknowledge and value the history and worth of all of our peoples will we become one nation.

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Elaine H. Kim

The civil rights movement of the 1960s raised American consciousness of the contradictions between our country's claim to world leadership as a democratic egalitarian society and our shameful legacy of racism, and inspired many new policies and programs. Among those were affirmative action programs aimed at "leveling the playing field" after centuries of racial injustice.

During the past three decades, some African Americans moved into spaces from which they had previously been excluded, and social and economic opportunities were significantly enhanced for other Americans of color. At the same time, the continuing significance of race in our society should be obvious to every American. Laws were passed, children were bused, and some black faces are floated before us on our television screens every night, but economic discrimination against African Americans persists. During the past three decades, we have seen the hyper-segregation

of a significant portion of African American people into communities decimated by poverty, lack of opportunity, and violence. Moreover, the huge difference between the views of most white Americans and most African Americans seems to be ever on the increase.

The decisive victory of capitalism globally during the past three decades has resulted in a widening gap between the very rich and the increasingly numerous poor all over the world, including in the United States, where the gap is skewed markedly toward race. Moreover, the globalization of capital and labor has been accompanied by the increased immigration of a diversity of people, especially Asians and Latinos, to the United States, creating increasingly complex forms of social and economic stratification.

Although affirmative action helped promote social progress for some women and "minorities," it has been unable to deliver full racial equality, for it was never more than a token concession based not on "universal fairness" but on the very meritocratic criteria originally designed to maintain white male privilege. Women and "minority" groups were compelled to contest each other over crumbs, and no matter what their qualifications, the token women and people of color brought to the table by affirmative action programs were generally viewed as unqualified and undeserving, a view that has given rise to backlash accusations of "reverse discrimination."

Tragically and ironically, even in the face of persisting virulent racism against African Americans and other people of color in this country, many Americans believe that those who have not succeeded in claiming the "American dream" of economic security and middle-class status have only their own laziness, stupidity, and lack of discipline to blame. The moral lessons of the civil rights movement have been seized by those who would rationalize and reinforce inequality and racism, particularly anti-black racism, which remains today as American as apple pie.

Asian Americans occupy ambiguous, shifting, and often contradictory positions in this complicated race and civil rights picture. The touting of Asian Americans as a "model minority" is by now familiar to students of American race issues. The comparatively high level of education and income, especially of that segment of the population that immigrated from Asia's educated urban middle classes in the 1970s and 1980s, has been taken as proof positive that colorblindness has been achieved in America and that those people of color who have not "succeeded" must blame themselves and not anything in the society at large for their own failures. The Asian American serves as a convenient stand-in for the absent white American. The very fact that the Asian American is viewed as a "model minority," that is, in terms of race, demonstrates that colorblindness in contemporary U.S. society is a delusion, and that everyone is paying a price.

It could be argued that while those who emerged from pre-1965 Asian American communities, such as the laundrymen in segregated Chinatowns, the Japanese interned during World War II, the Filipino migrant farm workers who followed the crops up and down the Pacific coast from the 1920s to the 1970s, can claim the civil rights movement legacies, the post-1965 Asian immigrants cannot. But at the same time, both the earlier groups and the more recent ones have been caught by burgeoning anti-immigrant sentiment and the 1990s version of the racialization of Asian Americans.

Asian Americans as a group are still thought of as not "deserving" rights because they are seen as "foreign" and "not American," even when their ancestors have been in the United States for five generations. The current campaign contributions scandal is a case in point. Asian donors are spotlighted. In the 1980s, we feared that Japan would buy up America's land and industries. In the 1990s, we are supposed to believe that China wants to buy our government. No one bothers to mention that the biggest foreign real estate holders are European, or that influence peddling to everyone seems to have been the modus operandi of all political parties for many decades. Meanwhile, Asian Americans as a group are suspect.

Even so, throughout the United States and out of the media spotlight there exists a burgeoning cadre of talented young Asian Americans who are beginning to change for the better majority America's long-held notions about Asians and Asian Americans. They are the ones who will lead us to a better future as they tirelessly work to challenge class-, race-, and gender-defined exclusion and discrimination, to protect people from violence in its many forms, to enhance the language rights of immigrants, to provide alternatives to racist representations and objectifications, to extend the meanings of environmental justice and gender equity. You can find them at work in community-based organizations for immigrants' rights, in labor unions, in legal aid offices, in school and colleges, in women's shelters. They are defining new directions for civil and human rights as we move into the next century.

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Herbert London

At a school in New York City a teacher upbraided one of her students for criticizing cliterdectomies, routinely conducted in Africa, noting for the class that "we should not judge others by our standards."

Recently a discussion at a large urban university led to censure of a middle-class girl who, during her prom, gave birth and threw the infant in a dumpster, where it died. The discussion leader, adopting a stance different from his class, said: "Who are we to judge this young woman? We don't know what was going through her mind."

During a debate at the Oakland, CA school board about the introduction of Ebonics, a proponent argued that "as long as we can respect differences, it doesn't matter what students learn."

These three examples are merely the latest manifestations of tolerance madness, a pathology that presently afflicts American society.

If the opposite of tolerance is intolerance, it stands to reason that educators and a significant part of the public will choose to be on the side of social harmony liberated from hatred and bigotry.

The problem with that analysis is that tolerance without discrimination can lead inexorably to a host of seditious ideas.

It may be intolerant to criticize the cannibalism of the Aztecs or the slavery in Sudan and Mozambique. (After all, these are different cultures employing different practices.) Or is it?

Tolerance is best understood as suggesting disapprobation as well as approval. We tolerate what community norms delineate. Tolerance does not extend to criminality, albeit "orthodox" relativists will employ tolerance as a rationalization for almost any deed. In its conventional meaning, tolerance is bound by normative beliefs and communal principles.

In the present educational mindset, teachers encourage a tolerance that avoids any form of discrimination. That is why even throwing a newborn infant in a dumpster has its rationalizers.

Right and wrong are merely perceptions of individual choice. Cheating isn't wrong as long as you aren't caught. Sex at an early age isn't wrong as long as you don't get pregnant. A ban on killing unwanted infants is wrong only when the child is discovered.

With tolerance madness, with a pedagogy that emphasizes the respect for differences as the highest value, youngsters are systematically deprived of the distinguishing characteristics of right and wrong. In fact, in the topsy-turvy world of relativistic morality, the normal is made abnormal, and the abnormal, normal.

Cultural diversity—what is sometimes described as multiculturalism—promotes this tolerance pathology. It is initially conceived as an acknowledgment of civil liberties that is incontrovertible. Who can oppose civil liberties?

In the second stage, there is an effort to establish the legitimacy of different approaches to issues. Why should everyone be obliged to conform?

And last, tolerance acolytes make the claim that what they want are harmony, love, and a world free of conflict. Now who can oppose those conditions?

Of course, what is sacrificed in succumbing to this logic is one's basic beliefs. If you accept the strategy of tolerance education, an orthodox Jew and Catholic, for example, must embrace homosexuality even though religious convictions prohibit them from doing so. Doesn't the First Amendment protect the free exercise of religion or must religious beliefs now be subject to tolerance monitoring?

In stretching the limits of tolerance, in eliminating its disapprobatory role, tolerance has ushered in an "anything goes" philosophy. Despite the current multicultural standard, societies should not all be valued in the same way. Those that emphasize life, civil liberties, virtue, goodness, and beauty are to be admired over those that promote savagery and barbarism.

Similarly, teenage pregnancy, gang violence, "gangsta" rap, and drug use should not be explained away as manifestations of another culture, thereby tolerated as an anthropological reality. The power of discernment—yes, of discrimination—is at least as important as respecting cultural differences. And it is precisely this discernment that is being lost in our public schools.

When Saul Bellow, Nobel laureate, commented, "I will read the Zulus when they have produced a Tolstoy," he was criticized for intolerance. But Bellow was simply applying a standard of discernment. He was arguing that it is important students read great works, not merely diverse works.

Tolerance that recognizes qualitative differences and cultural norms is what students should imbibe. But a tolerance, now prevalent in our schools, that avoids judgment is propelling the society into an abyss of anarchy and amorality.

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Martin Marty

Pessimism should rule on the human rights front, if Americans take their signals from what goes on around the world.

Whoever has listened in on international human rights debate has noticed that, and worried because, even those who work for rights cannot agree on their bases. For instance, in many places where poverty rules, development having barely begun or been set back, and where chaos or tyranny rules, advocates see individual rights to be a luxury or perversion of the West. They speak of the need for group rights, rights of their tribe against the

nation or against other nations or international ("imperial") forces.

While some interest group leaders in America have bought the language of group rights, most of their adherents and most other citizens have a hard time seeing rights assured if individuals cannot be assured their own. To take one controversial example: a woman in some culture or other objects to a practice that most people in the United States find to be barbaric—female circumcision. She has no individual rights; she must be subjected to what her ancestors and tribal seniors force upon her.

Pessimists draw their conclusions about future rights prospects from China and elsewhere in Asia, the former Soviet Union, much of Africa, the still-repressive nations in South America, and some fundamentalist-ruled, Islamic-dominated nations where rights of non-ruling Muslims and others are denied.

It is hard to picture human rights in the United States being suppressed on any such scale. Yet there are some worrying trends. In my view, these come from those who have designs on homogenizing Americans by legislating preference for majoritarian ideologies, as in the case of "Christian America" or "Judeo-Christian America." They are not on the point of winning, but their calls come whenever school boards, library boards, or town boards want to privilege "Judeo-Christian" truths and limit the rights of others. One need not be paranoid about their threats, but the next two generations will have to stay alert so long as much of the world's Zeitgeist, the spirit of the times, fears only dissent or spiritual and governmental anarchy and therefore proposes or enforces "winner take all" policies on the rights front.

Optimism rules among those who believe that human nature is good, that truth will find its way, that a crowded world enriched by webs and internets for communication will all but automatically favor the rights of individuals and that interest groups will see more reason to support the "common good" than their self-interest. Don't bet on the optimists.

Between these two extremes, there is a front of realism through which United States citizens can invest their major energies while caring about persecution, political imprisonment, and the stifling of free speech or press or religion abroad.

The realists—I'm in this company—see and say that the past two generations have produced vast legal and cultural gains on the human rights front. Whoever sees no change, or minimizes the changes, either (a) was not alive in 1957 when the U. S. Commission on Civil Rights was formed and so could not experience the improvements; (b) has not read the history of pre-1957 in order to look out with hope on post-1997; or (c) experienced or is informed about the change but is motivated not to acknowledge it.

I can picture three reasons for nonacknowledgment of these gains. The best advocates know how far we still must go in a society divided over interests and issues having to do with race, ethnicity, religion, culture, language, gender, disability, and class. To recognize too much positive change might sap energies or dim the vision of those who want to move further. Second, some may be so consumed by still-denied rights or unenforced laws that they are too exhausted to acknowledge gains elsewhere. Third, some who have been defeated in legislative efforts—e.g., the Equal Rights Amendment—cannot take cheer, or they may be led by people whose interest it is to exaggerate the problems they have winning their way.

The realists point to profound and genuine legislative and popular changes. Some may even worry lest constant, extravagant, litigious voices may be so insistent on trivial or idiosyncratic rights issues that it becomes difficult to perpetuate a pluralist but still coherent society. People sue over the slightest and most momentary lapses or exceptions, making themselves out to be victims while they victimize a society that has complex interests. Offensive and unfortunate expressions that mar but do not destroy intergroup relations become subjects of front page and prime-time legal cases, to the point that others either take lessons and join in the suing or leave the scene in bewilderment, apathy, or disgust.

My own area of specialization, religious freedom, illustrates this complex situation. With James Madison and other founders, I agree that religious liberty is "the first freedom." It reaches so deeply into the human spirit and so loftily with human hopes that if it is assured, other freedoms will follow; if it is limited, others will suffer. It has to be said that since 1957—I would say since a 1947 Supreme Court that put the Fourteenth Amendment to work on religious rights—there have been two generations of increase in assured religious rights, on scales almost undreamed of in the American past or the international present. Yet the Supreme Court in the summer of 1997, striking down the Congress's Religious Freedom Restoration Act, saw and reasoned that religious rights advocates had threatened the common good—and profound religious causes—by trivializing the demands for this freedom.

Reaction in the religious communities has been vehement but not always well placed. Some would promote a constitutional amendment that would provide limitless rights for religion, to the point that one can hardly picture the larger government on local, state, and national levels carrying out its work or citizens refraining from fighting over who gets to monopolize public space.

So we are back to 18*th* century argument: the appeal for assured rights has to be associated with the need of a republic to survive and to govern, a need that demands a responsible and not merely self-interested citizenry.

Realists during the next two generations will busy themselves bringing together the calls for rights and the enjoyment of responsibilities.

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Sara Meléndez

Many of us who have spent years working to improve race relations and opportunities for Americans from the diversity of backgrounds that enriches our citizenry are feeling less than sanguine these days. While we try to remember the progress that we have seen in our lifetime, it is difficult sometimes not to become bitter and cynical.

When I was growing up in the poorest neighborhoods of Brooklyn, I never saw a teacher, police officer, firefighter, or doctor who was not white, and except for teachers, almost all were males. In New York City today all its groups are represented in every field of work. Although not all groups, including women, have reached parity in every field, it is no longer possible for a Puerto Rican child, or an African American child, to go through 12 years of school and never see a teacher who looks like her.

As a nation, we have always been ambivalent about difference. All political leaders espouse pride in our "nation of immigrants" and our land of opportunity for all. But our history is littered with slavery, segregation, the Chinese Exclusion Act, the internment of Japanese Americans, the herding of Native Americans into reservations after taking their lands, and the punishing of children in school for speaking their native languages. The "melting pot" concept was invented for the misguided, albeit well-meaning, notion of making us all speak, behave, believe, and work and play the same. This was primarily motivated by a desire to unite us and the fear that difference is divisive. And although we believe "all men are created equal," for much of our history that belief excluded men of color and women.

Our tolerance for difference has varied, usually increasing or declining along with our economic well being. The current wave of intolerance and divisiveness can be seen as a cyclical development. But now we are experiencing increased prosperity, which often leads to increased tolerance, simultaneously with increased opposition to affirmative action, to benefits for immigrants, and to most programs that benefit primarily the poor, who are still disproportionately women and people of color. When many Americans rail against entitlements, they are not talking about mortgage interest deductions, Medicare, or low interest loans for higher education. They are talking about welfare, food stamps, and Medicaid.

A fundamental change in the American economy may prolong the current cycle of intolerance. Many Americans feel that they, or their children, no longer have a clear path to the American dream. Many workers are being marginalized by the changing nature of work and are being forced to earn less or learn new skills. Many are clamoring for a mythical past of meritocracy, believing that women and people of color who have achieved positions or circumstances that they have not achieved must have benefited from affirmative action or other privileges.

If our national economic policies do not create more opportunities for all Americans to find meaningful work that pays a living wage and permits people to take care of their families, people will continue to find reasons for discriminating against those whom they see as competing with them for their precarious positions on the ladder.

Our demographics are our destiny. Within our shores are people from all over the world. We know that all people from all backgrounds can achieve and contribute if they are given appropriate opportunities. Sometimes appropriate opportunity requires a leg up, a carefully targeted, tailored program to level the playing field. At the moment, we are going through another period of encouraging all who come to our shores to leave at the shore what they are and what they bring and to melt in the pot, or assimilate. And we are squandering the languages, the cultural literacy, the diverse visions and styles of work and problem-solving that they bring and we need if we are to maintain a position of leadership in an increasingly diverse and constantly changing world.

America's philanthropic and voluntary nonprofit sector can and must play a central role in helping our Nation work through the lingering issues of inequality, segregation, discrimination, and racism. Driven by mission, not profits or votes, the sector offers the best opportunity for bringing us together—community by community—to find the ideas and the language that will unite us as a people.

We have, in some of our better moments, done the right thing for reasons of fairness, justice, religious conviction, or a sense of right and wrong. If democracy is to survive and thrive in the United States we must seize this moment. We must find our way to living and working together, embracing and building on our rich diversity. A house divided against itself cannot stand.

We are now nearing the end of one century and preparing to enter the next, and we ought to talk about what kind of government and what kind of society we want. Is it a society where arts groups flourish in our neighborhoods, where youngsters of any background can gain access to the Internet, where an elderly blind

man with no money receives adequate shelter, nourishment, and medical care?

What kind of society do Americans want? And, if it is to be a humane, caring and responsive society, who but the nonprofit sector will help to achieve it? As a mechanism for bringing people together for debate or advocacy, action or service, it is still the best we have.

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Bharati Mukherjee

I am a naturalized U.S. citizen of Indian origin. My ideals of nationhood and good citizenship have been fired in the kiln of my immigrant identity.

I first arrived in this country from Calcutta, my hometown, in the summer of 1961. The U.S. Consulate had issued me a foreign student visa so that I could study at the Writers Workshop at the University of Iowa. Because I had grown up in an India newly independent of the British raj, colonial Britain was my only measure for imagining (and judging) the West. I had met no Americans as a child. What little I knew of American history and culture I had pieced together from childhood readings of "Uncle Tom's Cabin," my mother's bedtime stories about Joe Louis (presented as a champion boxing to win for the oppressed everywhere), the Calcutta Statesman's reporting of an Indian ambassador to the United States having been racially discriminated against in a Deep South restaurant of the 1950s, and my viewing of MGM musicals.

While still a student at the University of Iowa, I fell in love with and married a fellow student, who happened to be an American of Canadian origin. We made our home and raised our family in Canada and the United States. For my husband and my children, U.S. citizenship was a birthright. For me it was a choice. In choosing naturalization, I was betting on transformation of tradition rather than retention to resuscitate both self and society.

Race was the template put in winning place by the civil rights movement of the '50s and '60s. Activists found out that to get their agendas acted on, they had to cast issues in the context of race, not class and economics. The women's movement has enlarged the template to include gender as well as race.

In the past three decades, as more and more colonizing nations have been persuaded to relinquish their holdings and whole peoples have crossed and re-crossed borders in hopes of better lives and better jobs, the United States has been forced to acknowledge that it is a multiracial, multiethnic, multilingual, and no longer a biracial, society. The appropriateness or inappropriateness of America's redefining itself in the context of a migration is the central debate in these closing years of the millennium. We cannot opt out of this debate. Nor can we escape the consequences of the debate's outcome.

In the United States the debate is being conducted most vehemently by groups who, for all their differences in political ideologies, still use the biracial template. "Critical race theorists" argue that race must be made the central factor in all analyses of all issues, and some advocate acquittal of all African American defendants in order that historical oppression against that community may be corrected. "Eurocentrists" assert the superiority of European culture and advocate that its centrality in the making of America be mandatorily reflected in school curricula. "English Only" proponents campaign to stigmatize, if not criminalize, the use of non-English languages in public places, such as public schools and public hospitals. "Pluralists" agitate for the intact retention and government-funded perpetuation of the languages and cultures of ethnic groups. In practice, the pluralists restrict the perpetuation of the languages and cultures of ethnic groups; they limit disbursement of government funds allocated for protection of ethnic languages and cultures to those ethnic groups that have political clout.

In my experience, debates about nationhood that revolve exclusively on race and ethnicity generate bitterness, and sometimes blood. We have witnessed this in contemporary Canada, Sri Lanka, Belgium, and Bosnia. My aim is to move the discourse on nationhood in the United States away from race, since race is just one of many factors in any individual's self-definition and since race is the only factor that the individual cannot change. In this context, I think the immigrant who chooses an immigrant identity over an expatriate identity has a stabilizing role that pride and history deny the major players in biracial societies. An immigrant realizes that fluency in many languages does not in any way threaten the preservation of the mother tongue.

My identification with America is with the freedom that its Constitution articulates. I value a document that guarantees what is unthinkable in far too many countries: free speech and secularism. The ever-expanding liberties of the Bill of Rights offer me a framework to improvise demands for total inclusiveness. It does not bother me

that the instruments of national improvement, the statement of national ideals, were articulated by a group of slave-holding white men. If an idea has value, let us seize and improve on it. The strength of the Constitution with its Bill of Rights is that it permits—even encourages—improvisation. Flexibility. Improvisation. Resilience. These are the new virtues for our survival as a nation.

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Father Richard John Neuhaus

The American experience with civil rights and intergroup relations more generally is riddled with contradictions but, on the larger screen of world history, it appears, all in all, as a success story. Never has such a large and heterogeneous society managed to get along with an approximation of equal opportunity and in relative peace. At least since 1865. Note that those generalizations are carefully, and necessarily, qualified.

One may reasonably hope that in the fairly near future we will get over currently divisive disputes about affirmative action, quotas, and related devices for remedying past injustices. Such devices have not helped the people they were intended to help, have unjustly discriminated against many, and have not gained, and are not likely to gain, the assent of most Americans. When those disputes are past, we will hardly be without new challenges to our thinking about civil rights, equality, and opportunity.

There is the continuing, and perhaps increasing, problem of separatist ideology that would replace the goal of integration, notably in black-white relations. Whatever may be the merits of multiculturalism, for America there is no real world alternative to *e pluribus unum*. We should also caution against currently fashionable declarations that 50 years from now the white majority of the population will be a minority. Such talk is bound to raise racial consciousness in destructive ways, and could lead to nativist reactions against immigrants and immigration. The question of immigration, with all the cross-cutting interests and fears involved, will likely be high on the agenda in the years immediately ahead.

Perhaps the greatest challenge for the next century, however, will be to think anew about what is meant by rights. "Rights" and "civil rights" are moral categories premised upon the chief virtue of public life, which is justice. As a people, we have become inarticulate about the meaning of justice, understood as giving to each person his or her due. Not only is there no moral consensus about what justice requires; there is no shared moral vocabulary for engaging our disagreements. There are many reasons for this, but I believe one of the chief reasons is the usurpation of democratic discourse and decision-making by the courts. That the Supreme Court was so very right about racial segregation in 1954 has had the inadvertent effect of encouraging many to look to the courts rather than the political process for the redress of all real or alleged violations of rights.

The result is that judicial edicts are often pitted against the political process, thus further weakening democratic self-government and producing a popular alienation from law itself. Political persuasion is hard work, but there is no substitute for it if we are to be the free society that we aspire to be. In what I think is the best short definition of politics, Aristotle said, "Politics is free persons deliberating the question, How ought we to order our life together?" The "ought" in that definition indicates that politics is by nature a moral enterprise, in the sense that it engages the unavoidably moral questions of justice, fairness, and the common good.

Unless we rediscover a common moral vocabulary, and learn again the practices of moral deliberation and argument, we will witness not only a greatly increased alienation from government but an alienation from politics itself. When self-government, the fundamental doctrine of our constitutional order, is replaced by a disengaged and cynical citizenry, the very idea of rights and of civil rights in particular will be viewed as discredited. This is already happening to a dangerous degree. The hard work ahead is to restore an idea of justice by which "we the people" of this representative democracy can again deliberate the question, How ought we to order our life together?

The alternative is the end of democracy. That would be a great sadness for America and for the world, with tragic consequences for those who can no longer appeal to a popularly supported sense of justice. The hope for the next century is that we can bring our discussion of rights and laws into conversation with the American people's understanding of rights and wrongs. If we can do that, we will have a better chance at ensuring for all, in the words of Lincoln, "a new birth of freedom."

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Marvin Olasky

Many of us have written long, abstruse commentaries on racial preference issues and other matters. But

how do we talk about such questions with our young children? To put it at its simplest, are we proud to say, "I will take away Sam's cookie and give it to Angela because she has a preferred skin color and he does not"? Not unless we're raising our kids to be racists.

Maybe we can feel better by saying that we don't want to grab a cookie, we just want to bake more cookies. Maybe we can say Angela's grandfather wasn't treated fairly. Maybe we can say, "Cookies are child's play, but those rules apply when it comes to jobs and college admission. Life is more complicated."

Maybe defenders of racial preferences can say all those things. But surveys show distaste for affirmative action because most people think the issues are not complicated. And, after going over such issues with my two youngest children, aged 6 and 12—one black, one white—I am losing patience with fancy academic dancing on racial preference questions.

Those two sons and I have started with the Bible. It's not hard to see what God thinks about racial differences: not much. In the Bible, man's surface is no big deal. The vital questions, to use Glenn Loury's fine term, involve "sin, not skin."

We have moved on from the Bible to the importance of helping people who are disabled, but not counting race as a disability. In my family, if we started assigning favors by race, war would break out. I think the first words of these two children, and their older brothers, were, "It's not fair."

Any show of favoritism, real or supposed, is a sure cause of trouble, as it should be. When I've checked my children's logic by telling them about the sad history of slavery, and then trying out on them various racial preference rationales, they have always cut to the chase: Two wrongs don't make a right.

I've told them how Justice William O. Douglas argued that "Racial discrimination against a white is as unconstitutional as race discrimination against a black," and how Justice Thurgood Marshall responded, "You guys have been practicing discrimination for years. Now it's our turn." They have seen that Justice Marshall's response was very human—and very wrong.

Then we've talked about complexity. My children have Jewish, English, Scottish, and African ancestors. Should the English genes pay reparations to the discriminated-against Jewish genes? How do we figure out the benefits that newly immigrated sweatshop workers in 1910 derived from oppressing blacks? Children do not need to have studied permutations and combinations to see a mess in the making.

We've also talked about how in a race-obsessed America our family could be divided against itself. It doesn't have to be that way. Maybe skin more important than sin is one of the sins that God can empower us to overcome. The apostle Paul would not have instructed the Galatians and the Colossians that in Christ "there is neither Jew nor Greek" if it were impossible for our minds to be freed from racial and ethnic obsession.

Then, we've discussed the better way. T.S. Eliot once said, "Do we want a wool sweater? We need to plant the grass to feed the sheep to get the wool to make a sweater." If we hope to move toward a biblical lack of race-consciousness, then we had better plant the right sort of grass now—good churches and good schools—and stop playing into hatred.

I'm not saying that children have more wisdom than adults. I tend to be a person who looks for the complications in public policy questions. But this one isn't really that hard for me, when I look to the future and ask a simple question: Do I want my family divided against itself by government-mandated racial preferences, no matter whom it benefits? No. And if I don't want that in my own family, why would I want it in my country?

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Dianne Pinderhughes

It is difficult to be optimistic in considering the Nation's prospects on racial public policy over the next 40 years. The last 40 stretch back to the conclusion of the Montgomery, AL bus boycott, an event that is viewed as the beginning of the post-World War II civil rights movement. The highwater mark of moral challenge, of innovative strategies, of energy and aggressiveness by black Americans was reached by the mid-1960s, after the 1957 Civil Rights Act had created the U.S. Commission on Civil Rights, and the national government incorporated the movement's goals. The dynamic among African Americans shifted from a drive for national integration toward emphasis on group solidarity and group comfort.

Despite these successes over the past 30 years, the Nation has also laid a foundation that points toward a troubled future. The demonization of blacks, the restructuring of the American economy, and the structure of political opportunities leave little room for optimism in the next 40 years. Although unforeseen developments may lead to a substantially improved racial climate, the groundwork has been laid for long-term racial-ethnic stagnation and for conflict. To explore these points:

The Demonization of Blacks. Presidents, beginning with Nixon and continuing with Reagan, Bush, and to a

considerable extent Clinton, have manipulated images of African Americans to strengthen their constituent and party support. President Nixon's anti-crime legislation used black Americans as symbolic of danger, and his southern strategy attracted white Southerners alienated by the Democratic Party's support for civil rights reform. Presidents Reagan and Bush continued the use of race for partisan gain. Reagan attacked and ridiculed black women on welfare as "welfare queens" and attempted to divide the voting rights coalition; Bush used the threat of escaped prisoners in his election campaign and attacked affirmative action as quotas. By the early 1990s even Democratic presidential candidate Clinton signaled to the American public on the issues of race. Clinton chose not to appeal to the Democratic Party's black supporters and was photographed with young black men in a prison program. President Clinton nominated law professor, scholar, and voting rights litigator Lani Guinier to an appointment in his administration; but when conservative Republicans in the media reconstructed and remade her image, and, using Ronald Reagan's language headlined her a "quota queen," thereby linking her to black women on welfare, Clinton retreated from Guinier.

Economic Restructuring. Several factors have contributed to a dramatic economic restructuring of the society. Civil rights legislation passed over the last 40 years outlawed job and housing discrimination and introduced affirmative action policies. The administrative agencies responsible for implementing employment and housing policies operated with limited funding and unstable political support. Support for more substantial economic reforms such as reparations, economic redistribution, or even modest economic reforms has not yet developed. Some blacks have accumulated substantial wealth, and those with higher status education and occupations have increased their income and their wealth relative to the black population as a whole. But blacks across all educational and income levels tend to have lower incomes and to hold less wealth than whites.

The end of the Soviet Union's dominance over significant portions of the world's economy, and the computing and communications revolutions, have remade the American economy. The failure to integrate economic reform with civil rights means that blacks do not have the economic resources or infrastructure access to participate in these new global markets.

The Structure of Political Opportunities. Over the last 30 years the national consensus that led to the legislative successes of the civil rights movement eroded. First the presidency, followed by the Supreme Court, and most recently by the Congress, have opposed, or at least refused to sustain, the reforms. That has been accomplished by adopting the language of the civil rights movement, while negating continued support for programs that benefit blacks. Equal opportunity now means that if reform policies deny a white person a job, access to an educational program, or election to office, they are racially discriminatory.

In another example, Supreme Court Justice Sandra Day O'Connor argued in *Shaw v. Reno* that strategies such as majority minority electoral districts, created where blacks and Latinos have been unable to elect the candidate of their choice, constitute racial apartheid. O'Connor blurs the differences between South African apartheid and American racial reform, although the forms are legally and practically distinct. The Court's decisions are problematic because they misrepresent the historical context out of which contemporary options, such as majority minority districts and affirmative action, have evolved.

The Future. At the close of the 20*th* century, the Nation has not faced the economic reforms that would reduce the legacies of slavery and segregation and enhance African Americans' opportunities in the 21*st* century. Racial symbolism has been modernized, but blacks are still stigmatized. The Court, the Congress, and several Presidents have refused to acknowledge the constraints of race on the economic and political development of the African American population in the historical life of the Nation. That denial colors the Nation's future and closes the door to political and economic reforms for the African American population as a whole.

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Arch Puddington

America's racial problems will become more complex and, if current policies are maintained, more intractable as we enter the next millennium. More complex, because the traditional black-white pattern of racial conflict will be replaced, indeed has already been replaced, by a checkerboard pattern of differing races, nationalities, religions, and cultures. More intractable, because the crucial institutions of public life—the government, schools and universities, even the media—are pursuing a course that is guaranteed to worsen racial and cultural divisions.

Unless there is a radical change in current immigration patterns, America will become increasingly Hispanic and Asian during the next century. Whites may cease to constitute a majority of the population. Almost certainly, Hispanics will replace blacks as the country's second largest population group. Islam may

well become one of America's major religions; it is already one of the country's fastest growing denominations.

Many find the idea of America as a truly multinational society inspirational. Their optimism, I would argue, is premature. The recent history of multinational states is replete with examples of man's inhumanity to man, of ethnic cleansing, mass murder, and genocide. In some cases, people who look alike and speak the same language have attempted to annihilate one another because they adhere to different faiths. Even in European countries with strong democratic roots and histories of tolerance the presence of a relatively small percentage of Arabs or Turks has triggered the rise of ultra-nationalist political movements and anti-immigrant violence.

America is different, of course. This country has a record of assimilating peoples of diverse cultures and religions that is remarkable by world historical standards. Unfortunately, the principles that made possible America's record of pluralistic achievement stand in jeopardy. Ironically, the danger lies not in a revived racism or nativism, but in policies adopted in the name of fairness and equity.

For the past several decades, our policymakers have been assembling, piece by piece, what South Africa called racial policies and what the Soviets called a nationality policy. Under the pervasive affirmative action programs that govern employment practices and university admissions, important resources are divided along racial and ethnic lines. Under the diversity principle, affirmative action would be expanded to practically every institution of American life, even when no evidence of discrimination exists.

At the same time, the notion of multiculturalism has gained significant influence at many levels of society. Multiculturalism is, at heart, the extension of affirmative action to the realm of ideas. Under the multicultural approach, the American story is no longer to be regarded as a series of events and historical processes. Nor is it to be seen as something that unites the country around the shared ideals that have guided the country since its founding. Instead, history has been reduced to the particularist interpretations of one group or another, in which America, or the white men who governed America, are depicted as the oppressors of the weak and the different.

The champions of multiculturalism reject the proposition that Americans are bound together by common ideals and shared values. They have no conception of what constitutes the national interest. They are disdainful of the notion that the schools should acquaint successive generations with the concept of a common civic culture. They treat with contempt the argument that new immigrants be required to learn the rudiments of the American political system as a condition for citizenship.

The United States is big and powerful. Its system is flexible and open to change. This quality has enabled our society to adapt to a revolution in race relations, a dramatic shift in the status of women, a massive influx of non-white immigrants, and a transformation of the global economy. But America has been able to meet its challenges, including the challenges posed by global tyranny, because it was secure in its identity and civic values.

No idea has been more central to the American idea than individual rights. It is, however, precisely this value multiculturalism finds most objectionable. To the idea of individual rights, multiculturalism counterposes group rights—in hiring, promotion, university admissions, jury composition, capital punishment, children's literature, history textbooks, the awarding of Federal contracts, even the conduct of foreign policy.

Group rights are especially insidious in a culturally heterogeneous society like ours. The apportionment of resources along racial and national lines will further erode an attachment to the ideas that unify America. It will encourage a corrosive cynicism about government, which will in turn accelerate the withdrawal of the middle classes from public institutions like the schools. Nor will the institutionalization of group rights satisfy the presumed beneficiaries; the alienation of the black middle class has increased despite the expansion of affirmative action programs. And when, as recently, programs like affirmative action are cut back, the beneficiaries respond as if they were being deprived of a basic human right like freedom of speech or religion.

The good news is that most new immigrants, no matter what their country of origin, want to become Americans, to learn English, to assimilate, to succeed on their own. They believe that America represents something unique, a place of opportunity and freedom, however harsh its economic system. America can retain its special role as beacon of liberty, but only if it rejects policies that are leading us toward racial and cultural balkanization.

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Peter D. Salins

Not a day goes by without the pages of the New York Times announcing another instance of ethnic strife—sometimes bloody—in another country. Most of these

clashes occur between ancient ethnic antagonists, but ethnic conflict also characterizes relations between natives and immigrants in the most enlightened democracies of western Europe.

Americans view all this distant mayhem with smug detachment, thinking "Thank God that can't happen here." But Americans do not give a great deal of thought to why it cannot happen here. The United States, after all, actually has far more ethnic diversity —whether calibrated by race, religion, language, national origin, or any other variable—than any of the world's ethnic trouble spots. In fact, many of the same ethnic blood-antagonists who hate each other overseas often live side by side in America. And the United States certainly has more immigrants than just about any other country.

There is a reason the United States has been able to maintain ethnic harmony for centuries in a world in which most other nations are beset by ethnic strife: From the beginning, America has been what political theorists have called a "civic nation," unlike most other countries that have been—and continue to be—"ethnic nations." In ethnic nations, the major factor that unites their citizens is their shared ethnicity. But since the citizens of most modern nations are ethnically heterogeneous— their shared ethnicity is more or less illusory, because of immigration, territorial expansion or other historical circumstances, or because no amount of ethnic homogeneity is ever enough—they need to negotiate the terms of their ethnic coexistence. They do so by sharing rights, powers, and privilege along ethnic lines; they resort to what I have called ethnic federalism to mollify their constituent ethnic groups. A civic nation, on the other hand, vests rights only in individuals and goes out of its way to avoid making invidious distinctions of any kind based on a person's ethnic or other group membership.

In truth, there has only been one civic nation in the world: the United States. America's success has caused many of the world's ethnic nations to aspire to civic nationhood, with mixed results, but no other country was explicitly founded as a civic nation. Yet keeping America a civic nation has been no easy task. It has required continuous vigilance and the maintenance of powerful institutions to help Americans resist the ever-present temptation to become an ethnic nation like all the others.

As it is, the United States is, by law and practice, committed to ethnic federalism, big time. Despite some tentative recent moves to dismantle affirmative action, the Nation's leadership, from the President on down, is committed to making all Americans see each other as members of ethnic or racial groups—not just for cultural or social purposes, but to claim specific rights, privileges, or resources. I am very familiar with the arguments for maintaining our ethnic federalist policies: that the United States' civic principles have been so severely compromised by its sorry legacy of slavery and institutional racism that the harm cannot be undone at this late date merely by restoring them. Even if one were persuaded by this argument, it would only justify extending ethnic federalist protections to the specific African American victims of this legacy or their descendants, but not to other ethnic groups (Latinos, Asians) or to African Americans who entered the United States as immigrants.

But, whether construed broadly or narrowly, nowhere in the world—including the contemporary United States—has ethnic federalism succeeded in increasing ethnic harmony among members of diverse ethnic groups; it has only served to deepen and reinforce ethnic bias and conflict. Clearly, no one would deny that American history has been shadowed with countless displays of ethnic bigotry and, in the case of African Americans, a period of enslavement followed by unconscionable discrimination. But that Americans have not always been as good as their principles is no reason to discount those principles today or to justify discarding the notion of civic, rather than ethnic, nationhood.

Having developed and refined its institutions of civic and ethnic unity over two centuries and finally eliminated the most egregious violations of its idealistic civic principles, the United States would find it more than tragic if it discarded them at this late date—if, after centuries of painfully acquired tolerance and civic wisdom, Americans snatched the defeat of ethnocentric divisiveness from the victorious jaws of national civic unity. If Americans now give in to ethnocentricity and ethnic federalism, it will not be because they are being made to do so by the demands of long-aggrieved ethnic constituencies, as has been the case with the Francophones of Canada, the Chechens of Russia, and the Arabs of Israel, but because the mainstream institutions of the United States have almost absent-mindedly decided to promote a synthetic and forced ethnic consciousness or, what is worse, a sense of ethnic grievance among American ethnic groups.

When public schools decided to push children who might quickly and easily have become fluent in English into bilingual classes to ensure the survival of their parents' ethnic identity, when every workplace and every university were encouraged to allocate places by race and ethnicity, when history teachers in high school and college were pressured to make the promotion of ethnic self-esteem the primary purpose of history instruction, when the media decided that diversity was a good word but assimilation was a bad one, such decisions were not driven by the ethnic federalist demands of particular ethnic constituencies, but by a fashionable ideology.

However, the raising of national ethnic consciousness, even if undertaken casually, can become self-reinforcing and impossible to reverse. If Americans persist in behaving as though their country were an ethnic nation, the United States may indeed end up as just another member in the unhappy ranks of the rest of the world's ethnic nations.

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Ruth J. Simmons

The future of civil rights in higher education has been profoundly shaken by a succession of events that have called into question whether the democratic and inclusionist model of college admission, an important legacy of the U.S. civil rights movement, should continue to exist. From *Bakke* to *Hopwood*, legal and populist challenges to social priorities in college admission have won increasing support, even from many who, in years past, viewed access to education as the primary means to a more equitable society. The attacks on affirmative action have brought about one of the most significant national movements to oppose civil rights since the massive resistance of southern states to the elimination of Jim Crow. The result could well be a period of confusion and stagnation reminiscent of the prolonged racial backlash that followed Reconstruction in the past century.

At the heart of this crisis is a simple and honest question: If we set a course for equality of opportunity, how will we determine whether a suitable level of equality has been achieved? In instituting policies to end discrimination and redress the harmful effects of past discrimination, we may have insufficiently considered and developed this important dimension of the question. After all, this policy is being implemented in a nation whose work and achievement ethic decidedly idealizes individual effort and personal responsibility. Whether it is sound to grant certain individuals preferred treatment because of past discriminatory practices against their group is being tested anew in the debate of affirmative action. What about the presumed effect of that preferred treatment on individuals who have not ostensibly been a party to or benefited from that past discrimination? Finally, what are the limits of policies to treat discrimination and to provide not just improved but equal access? Answering these questions appropriately could well determine the peace and prosperity of this Nation for many years to come.

Broad educational access has been widely viewed as offering advantages to many group members who have not earned them. Yet, improved access for social and national purposes has been a recent way of life for American educational institutions. Many colleges adapted curricula and accelerated graduation to accommodate Americans going to war. Similarly, as veterans returned from war, institutions broadened access to allow careers to be undertaken or restarted. Similarly, when elite men's colleges began to admit women, they did so largely for a social purpose rather than to attract the students scoring the highest marks on qualifying examinations. Thus, educational access has frequently and, I think, correctly been associated with national need and purpose as well as national ideal of equality of opportunity for citizens. Yet, in the current debate, the idea of using education to promote such goals is regarded by many as heresy.

If this country moves increasingly toward an endorsement of the admission principles that Proposition 209 and *Hopwood* uphold, higher education and the Nation will, I believe, be the poorer for it. Homogeneously reared and educated students will gain entry into the most privileged institutions of the Nation while poor and educationally disadvantaged children will aspire to "their" colleges. Some, understanding the limitations of such stratification, will perhaps decide not to aspire at all.

It should be possible to establish a means of sustaining the democratic thrust of our institutions. Equal opportunity is no less a national need in a democratic society than the defense of a nation from tyranny. Severe limitation of access to entire groups, whether inadvertent or the result of following good rules, creates the same effect and is antithetical to what we are and what we seek to achieve as a nation. On the other hand, the public has made it clear that it does not view favorably awarding advantage to individuals who, for a variety of reasons, should be capable of competing on a fair basis.

The most important question I see ahead in the area of civil rights and access is, therefore, the following: Is there a model of equal access that helps to eliminate the results of historical discriminatory barriers to certain groups but, at the same time, is more reliant on individual responsibility and achievement?

There are millions of children being born who will need to have that question answered. If they will be consigned to limited choices because they dwell on the margin of society, we will surely pay a price for that. If, on the other hand, we can construct a model that accords to those on the margin the full benefit of their good efforts, who would say that is wrong?

What I would hope for the next half-century is greater clarity about how the Nation and all its citizens benefit from the advancement of civil rights and, at the same time, greater public understanding of the temporary discomfort we may need to tolerate to achieve a safer, better, and more prosperous nation. We should work earnestly to reduce the flaws in our efforts to further civil rights

while insisting that efforts should be neither abandoned nor thwarted because of our current discomfort.

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Jim Sleeper

Sometimes it seems that anything one can say about race has already been said, and everything is only half true and sometimes meant only half sincerely. We are sifting through euphemisms in search of the truth. We say that the glass is half empty; and we know that it is also half full. We say that the black/white divide is the template, the fundament of the American condition; and we know also that it no longer defines the country. Blacks say they want to be treated the same as everyone else and resent it when whites dote and emote over blacks' presumed needs in order to embellish their own moral rectitude; and blacks also want more respect for the depths of experience and endurance wrested from a sleepless nightmare of non-recognition, and they resent it when whites assert glibly that everything can be made right soon. We all know that slavery and segregation are deeply implicated in glaring black failures; and we also know that there is never any substitute for taking personal responsibility.

This much is really true: Liberal social programs, from welfare to affirmative action, went more than a little too far to undercut the personal responsibility and the strong communal obligations that are essential to two-parent family formation and to wealth-creation through small-business development—the same values that have helped so many other groups, including non-white groups, rise even in the teeth of discrimination. But the relentless expansion of entitlement programs and of the color-coding of our public and private lives since the early 1970s removed too many incentives to prosper. And people who have hard-wired their identities and incomes around advocating and running those programs are even more reluctant to let go of them than are their supposed beneficiaries.

As people do adjust to the withdrawal of programs that foster dependency, however, the glass gets a little more full. A stunning story by the New York Times' Stephen Holmes last fall showed that the incomes of two-parent black households have been converging with those of whites; that other indexes of black education, health, and other measures of well-being are on the rise. The black-white divide is a bit less definitive than it was, too. We all know that the interracial marriage rate has been moving up, slowly but steadily, and that millions of young Americans are already generations removed from any easily recoverable racial or ethnic identity. We all know that hundreds of thousands of Southern white voters went to the polls last fall and sent five black incumbents (who were new to them, and of whose defeat the voting-rights activists were certain) back to Congress. It's simply no longer possible for advocates of the old system to pretend that good news isn't real news. The good news just keeps on coming.

Let's help it get better. Precisely because the country is becoming more diverse in ways the old color-coding can't hope to comprehend, we should rely less on the convoluted racial districting, the Census "race" boxes, and other measures that constrain us to define our citizenship and even our personhood foremost by skin color or surname. We should be working overtime to identify and, yes, inculcate a few common values and norms—of reason, of tolerance, of work, of family, of national service—that can keep us functioning as a polity and civic culture worth joining.

Full citizenship in the American republic entails a commitment to join in race-transcendent experiment. Our civic culture cannot be blueprinted or parceled out along race lines. We affirm individual dignity when we refuse to treat any citizen as the delegate of a subculture or race. Our best leaders are those who show their neighbor, every day, how to leave subgroup loyalties at the doors of classrooms, jury rooms, hiring halls, and loan offices. Liberals should lead fights against discrimination and abuse, but they should do it in the name of a common American identity. In other words, except in fighting clear and present abuses, they should let race go.

The rising national consensus about this is the reason for the wild popularity Colin Powell enjoyed among whites as he contemplated a run for the presidency: He seemed to embody virtues not of blackness or whiteness, but of a larger American identity that is thick enough to live in. Yes, whites have a long history of anointing black celebrities in order to display their own virtue; but something deeper was astir here—an awareness that even if each of us is raised in a particular racial or religious subculture that provides for itself along parochial lines, each of us can learn, if that culture is really deep and strong, to embrace values that transcend it at times and that enable us to share in the common American experiment I mentioned.

We have to get that balance right again, and we

need leaders at all levels who have the courage to do it. Liberals used to be the framers and exemplars of the great story lines, the great morality plays of American transcendence that enriched the common identity, made it seem approachable, worth fighting for. Let all Americans now produce new story lines—in the entertainment world, in school curricula, and on the campaign trail—that celebrate a brave juror who refuses to be seen as a delegate of his or her race and leads fellow jurors to a fair verdict; of a brave voter and a brave politician who refuse to be corralled into districts crafted especially for them by skin color. Let us start telling and showing one another, by personal example, what we can be together. And let us be more vocal in rejecting the many poseurs, in universities, education associations, and politics, who trade mainly on racial grievances and whose motto seems to be, "I am excluded; therefore, I am."

Dr. Jim Sleeper, a writer on urban politics and civic culture, is the author of the recently published "Liberal Racism." He has been a columnist for The New York Daily News and an editorial writer for Newsday.

Ronald Takaki

On a Monday morning in June 1997, I abruptly received a phone call from the White House. I had been invited to a meeting with Bill Clinton scheduled for the next day to brainstorm ideas for his major speech on race. Within hours I was flying to Washington, wondering what I would tell the President. Remembering Franklin Roosevelt's striking statement "We have nothing to fear but fear itself," I came up with what I thought would work as a memorable line for Clinton's speech—"We will all be minorities."

Here are some of the ideas I jotted down for the White House meeting:

"As Americans, we will all be minorities in the coming century. Demographic projections already indicate this change will happen around 2050. Within a few years in California, whites will become a minority—just like blacks, Indians, Hispanics, and Asians.

"This changing face of America can be viewed as a 'disuniting of America.' But we can also view it as an opportunity to acknowledge our diversity beyond black and white—a more inclusive view of who we are as Americans.

"All of us belong to a long history of America as a multiracial society. Now as we cross the bridge to the 21st century, we need to re-think the way we think about American history. The stories of our diverse groups are different, but they are not disparate. In the sharing of our varied stories, we create a community of 'a larger memory.' From this memory, we learn that racial minorities have embraced our country's founding principles of liberty and equality, and have struggled to make our national ideals more inclusive and more democratic.

"When Thomas Jefferson wrote those powerful words 'all men are created equal,' entitled to the 'unalienable Right' of 'liberty,' he was not thinking that these ideas would become the creed for a racially diverse America. A slaveholder, Jefferson viewed blacks as a "blot" in the Nation. His plan was to abolish slavery and to remove blacks to Santo Domingo and Africa. His was a vision of a white republic.

"But, scores of years later, President Abraham Lincoln redefined Jefferson's idea of equality. During the Civil War, Lincoln recognized the military contributions of blacks in preserving the Union. On the bloody battleground of Gettysburg, Lincoln became a 're-founding father' when he declared so eloquently that this Nation had been founded, dedicated to the 'proposition' of equality. And our struggle to make our 'proposition' a reality was still 'unfinished work.'

"What will the 21st century hold for us?

"Here there are American Jeremiahs warning us about disintegration and disunity.

"Yes, we do seem to be headed toward dissolution. But there are still ties that bind. Actually, we are becoming more and more dependent on one another. By the year 2000, one third of all new workers entering the labor force will be minorities. Not only will educated and trained minority workers be necessary for our Nation to be competitive in the globalizing economy, but these laborers will be needed as taxpayers to help subsidize Federal programs. One of these programs, Social Security, will be supporting a growing retired population, mostly white. So, it makes moral as well as common sense to expand educational and employment opportunities for minorities.

"To do the 'unfinished work' of our Nation, we now will have to go beyond discussions to actions, policies, and programs. Here, Clinton needs to address specifically the assaults on affirmative action such as the *Hopwood* decision and Proposition 209, the anti-immigrant backlash that manifested itself in measures like Proposition 187, the abandonment of families by 'welfare reform,' and the economic hollowing out of the inner cities."

In his opening remarks at the White House meet-

ing, President Clinton described America as a "multiracial" society and racial inequality as our Nation's "unfinished business." During the discussion, I pointed out: "In the multiracial America of the 21st century, we will all be minorities. Welcome to the club." Alert and witty, Clinton quipped: "Yes, why do you think I'm doing all of this?" I continued: "The phrase 'unfinished business' reminds me of Lincoln at Gettysburg saying that this Nation was dedicated to the 'proposition' of equality and that the realization of this ideal was our 'unfinished work.'"

That was all the time I had to engage Clinton in dialogue because there were 25 scholars and civil rights leaders in the room. Unable to cover all of my points, I gave a copy of the notes I had written on the plane to one of Clinton's aides.

In his speech a few days later, Clinton urged us to become "one people" in our "multiracial" future. "Money cannot buy this goal," he said, emphasizing the importance of dialogue and understanding. Listening, I reacted: But we need not only a moral vision but also money—a new Marshall Plan to rebuild our inner cities. The funding for this revitalization exists; the end of the Cold War gives us the opportunity to shift vital resources from defense spending to domestic needs. What happens in the economy will decisively determine whether we will be able to get along and work it out in the 21st century.

But I was pleased when Clinton, in his conclusion, called on Americans to take up the "unfinished work" of our time, acknowledging indirectly at least Lincoln and the Gettysburg Address. I wished, however, that Clinton had not used the phrase "no majority race" to describe what will happen to whites. This statement describes what whites will not be. My expression "We will all be minorities" would have been a more affirming vision of our coming diversity.

Dr. Ronald Takaki, a professor of ethnic studies at the University of California at Berkeley, has written several critically acclaimed books including "A Different Mirror: A History of Multicultural America."

Ronald Walters

From our vantage point at the end of the 20th century, we can see clearly that the social cancer of American racism will follow us robustly into the 21st century. And yet the dominant political institutions of this country are poised to draw down the curtains on a 40-year-old experiment of racial amelioration with the instrument of civil rights laws that were designed to try to correct the previous 61 years of legal subordination, traced to the theory of separate but equal embedded in the *Plessy* decision and the 246 years of legal slavery.

Just as slavery did not end with the firing of the last cannon in 1865 and instead gradually ended, some scholars believe, somewhere in the first half of the 20th century, racial subordination did not end with the passage of the 1960s' civil rights laws and is vibrantly alive today. Abundant evidence that racism exists may be found in some of the most credible, unchallengeable public and private sources available: studies published in the Harvard Business Review, by the Urban Institute, and even in the U.S. Government's own review of affirmative action, which confirm the workings of racism in virtually every area of life for people of color. And at the same time, there is the most stringent denial among whites that racism is a problem, if one judges by the results in a Gallup poll released in May 1997 on race relations, and that whites are culpable in the maintenance of it—even though they manage the opportunity structure in America.

Is it possible that the psychological currency upon which the civil rights consensus was formed was not based on a proper understanding of the past but on the guilt acknowledged by the existing middle-aged generation, which now feels that it has done enough and wants to cast responsibility aside? If so, then, the President's Initiative on Race, which I and others have deprecated as insufficient as a remedy, might, in any case, be useful in providing the basis of the public education of the American people, not only on "race relations" but on what has happened to non-white groups in society, to create a long-term view of the project of racial justice.

But all of this talk about education and responsibility may be woefully beside the point, because some of the most vociferous critics of the civil rights regime are also the most learned in matters of race. Thus, one must understand better the roots of the racial alienation of whites with whom the project of integration was originally proposed. Whites were busy building a way out of the urban ghettoes when the civil rights movement was born and the 1960s only hastened their escape. Physical proximity to blacks came to be opposed not only because they were believed inferior, but because the rebellions suggested that they were dangerous.

Today, other issues are driving the majority of whites to adopt negative attitudes on the question of racial amelioration for the past and the construction of an equalitarian, integrated future as well. They seem to be not only fearful of the new numbers showing that non-white groups will reach parity with them at the midpoint of the next century, but already they have begun to sense the tipping point of the black and non-white

presence in many areas of American life and have begun to react negatively. As such, they have envisioned an exaggerated condition of non-white advantage that threatens their outright dominance of the social order. Little else can account for a grand mis-matching of reality and attitude such as the finding in a 1990 Gallup Poll that most whites feel that America is 32 percent blacks, when it is only 12 percent.

White fears about economic competition from immigrants and blacks have existed as a currency of the debate about social advantage, especially in the light of "downsizing" and globalization of the economy. These new pressures on the work force to compete through enhanced skills have placed a premium on employment, and accompanying uncertainty and instability of employment have heightened the fears of survival. The result is that a new and dynamic factor has been added to the political culture that has conservatized it and directed its force at the source of the possible competition by undercutting their presumed social advantages emanating from government.

Well, you might ask, don't whites have a point? When will the issue of making recompense for the past be unnecessary? I cannot answer that. But I feel that whenever that point is reached, it must not be a one-way decision by the majority and still be viewed as a legitimate, democratic decision. To eliminate blacks and other non-whites from the principle of equality and from resources (for which they too pay taxes) in a one-way decision-making system is a recipe for authoritarianism and an affront to a democracy and constitutes another expression of racial subordination. If you have your boot on my neck, you cannot credibly decide to what degree it hurts and for how long. I must decide that.

The issue is whether or not anyone cares that decisions made by the white majority to change the rules of legal theory providing for social justice, to change the rules by which resources are distributed to disadvantaged communities, to change many other rules negatively affecting non-white peoples, constitute an act of racial exclusion and, therefore, institutionalize racism as the content of this politics.

The racial dilemma in America is not only likely to survive the 20th century, albeit in different form, but it will constitute the single greatest threat to American internal stability in the next century. The old questions that dominate the psychology, socio-economic status, and politics of non-white groups will persist, because of their location in the social order, and yet the new questions of adjustment by the white majority will play against them. How the majority adjust to the growing presence of the non-white population and its participation in various areas of American life (which will yield only marginally to the current attempt to retard such social mobility) is a critical issue to the survival of the American multi-racial experiment. Because the multi-racial composition of the country will be so substantial, problems in this area could pose a threat to the viability of the Nation itself.

Therefore, one is brought to the consciousness of Martin Luther King, Jr., who, determined to pursue his struggle and confident of the correctness of his stand, wrote a letter from a Birmingham jail, pleading that the good people, the moral people, the intelligent and far-sighted people, join the struggle, outwit the racial demagogues, and provide a progressive grounding for the new millennium. That is a rational proposal today.

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Adam Wolfson

In 1963 George Wallace infamously declared: "segregation today, segregation tomorrow, segregation forever." Around the same time, a young black minister named Martin Luther King, Jr., dreamed a different future, one in which children "will not be judged by the color of their skin but by the content of their character." Few would have guessed then, in 1963, that King's idealistic dream provided a better map of the future than Wallace's vicious diktat, backed by the full police powers of the state of Alabama.

But it is so: Today, blacks and whites are equal before the law; their economic prospects (with the important exception of the black underclass) are increasingly equal; they contribute to and share the same culture; they even marry each other in greater numbers. Blacks now get elected to the U.S. Congress from majority white districts. The U.S. Census might adopt a new racial category, "multiracial," to account for the many Americans who wish to identify themselves as neither black nor white. America's most admired sportsman is Michael Jordan; its favorite entertainer, Oprah Winfrey; its most loved military hero (and first choice for President of the United States), Colin Powell. So much for Wallace's "segregation forever." The races now interact and mix as never before.

But if Wallace's peculiar vision of white supremacy was defeated, the same cannot be said of the habit of thinking in racial categories—at least, that is, among America's elites in government, the academy, the media, and the legal professions. Unlike the majority of Americans, they would admit students to colleges and universities based upon the color of their skin; they would teach Afro-centric and multicultural curricula;

they would mandate proportional representation by race; they would award government contracts and jobs in the private sector based on race; they would prohibit interracial adoptions.

The President himself has from his first day in office encouraged race consciousness, as when he announced that his Cabinet would be racially balanced. And in a recent major national address on race, he urged the American people to heighten and sharpen their racial awareness as well as their sense of racial grievance and guilt. According to Clinton, the classic American dilemma—the dilemma of black and white—has become "many dilemmas of race and ethnicity." In response to this apparently new situation, he called upon the country to renew its commitment to affirmative action and to engage in a great national conversation on race. Racial and ethnic diversity, he said, is of educational value and in the public interest. We are all multiculturalists now, he seemed to say.

Yet at the same time that Clinton sided in his address with multiculturalism, an older understanding of America occasionally peeked through: He spoke of "one America," of "our shared values," of "the values America stands for," of "the ideals that bind us together." Tellingly, however, he did not define these "values" and "ideals." Though he did provide a clue: In concluding his address, he said let us draw strength from "our ancient faith."

Now, as it happens, Abraham Lincoln uttered those same three words in a speech on October 16, 1854. Lincoln's ancient faith was in the principles of the Declaration of Independence—that all men are created equal and are to be treated as such by the law of the land. As a Supreme Court Justice would later write, the American system of laws and government is colorblind; there are no classes of people defined by their race in the United States. More than any other statesman in this century, Martin Luther King was heir to Lincoln's faith. In fact, that faith gave birth to King's dream and made him a better guide to the future than Wallace.

Wallace and his ilk have fallen from political power. But a new type has taken his place, and as he once did, so too would they cut America up by race—dispensing jobs, slots in university admissions, seats in our representative institutions, etc. based upon skin pigment. Some of them would implement such policies because, as it is said, "we must take account of race in order to get beyond race." Which is a slogan only an intellectual could believe. Racial categories and quotas are easy to put in place but almost impossible to dismantle (California thus far being the exception that proves the rule). Other advocates of the racial spoils system—the multiculturalists of whom Clinton is evidently one—are more honest and more dangerous. They do not want to get beyond race but to make a fetish of it; to them race is the be all and end all. Their vision is about as un-American as one can get.

We have made great strides in the direction of Lincoln and King's America. We will continue to do so in the next century, but only if we keep true to the vision of a race-neutral America.

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Howard Zinn

The proof that we have made some progress toward racial equality is that the racial tensions today arise over different issues than they did 40 years ago. Now, the arguments are not about whether African Americans should have equal rights—to school, to voting, to jobs, to public accommodations—but about special rights.

That is, affirmative action. The special rights are needed because the elimination of legal segregation has not solved a problem deeper, more difficult to deal with, than segregation—economic inequality.

Affirmative action, however strongly enforced, and however necessary, will only moderate, not solve, that fundamental problem. So long as "the free market" (that is, free of government intervention) determines the level of employment (indeed, with the government, through the Federal Reserve Board, working to make sure there is unemployment), then jobs will be scarce, and more scarce for blacks than for whites.

Even after 20 years of affirmative action, black Americans were unemployed at twice the rate as whites. In 1992, the National Urban League estimated the real unemployment rate—unlike the official statistics—was 13.3 percent for whites and 25.5 percent for African Americans.

Racism is a complex phenomenon, which can exist independently of economic conditions. But the disease of racism historically came out of the swamp of the profit system. The luxuries of plantation owners required slavery, and then the profits of manufacturers required cheap labor, and today the greed of the stock market requires unemployed labor. (Note how stock prices rise when the unemployment figures go up.)

The failure of the "free market" to bring real equality to black people has always been part of a larger problem, the failure to bring economic justice to the working-class majority of the population. When, in the post-Civil War years, the freed slaves insisted that their freedom was meaningless without land, they created alarms in the higher circles of the North that such demands might spread to the white under-class.

The New York Times of July 9, 1867 declared: "An attempt to justify the confiscation of Southern land under the pretense of doing justice to the freedmen strikes at the root of property rights in both sections. It

concerns Massachusetts as much as Mississippi." The Nation said that the "division of rich man's lands among the landless...would give a shock to our whole social and political system...."

But only such a "shock," accompanying a more equal division of the Nation's wealth, can begin to address the fundamentals of the "race problem." Black leaders in this century have understood that. Such an understanding made W.E.B. Du Bois a critic of the capitalist system. Sociologist E. Franklin Frazier, reporting on the Harlem riot of 1935, insisted that the primary need of African Americans was for jobs. And in 1941 A. Philip Randolph threatened President Franklin D. Roosevelt with a march on Washington, to get him to establish a Fair Employment Practices Commission.

Can this Nation move toward real racial equality (that is, beyond the right to vote and the rhetoric of tolerance and the temporary aid of affirmative action) without drastic changes in an economic system whose first priority is corporate profit? That system has persistently, from colonial times on, concentrated wealth in a small part of the population. The achievements of the civil rights movement came to a dead end when the movement came up against that system and was not prepared to challenge it.

The Rev. Martin Luther King, Jr. was initiating such a challenge when he was cut down. On the eve of the Poor Peoples Campaign in 1968, he told his staff: "Our economy must become more person-centered than property-centered and profit-centered." He said a storm was rising that "will not abate" until there would be "a just distribution of the fruits of the earth."

Approaching the next century, the political leaders of both parties are clearly oblivious of Dr. King's warning. A barrage of recent legislation diminishes benefits to the poor and foreign-born, builds prisons instead of schools and homes, and legalizes a Dickensian cruelty to huge numbers of children. The victims will be of all races, but the historical legacy of racism will ensure that the greatest pain will be felt by people of color and that the ensuing racial competition for scarce resources will become more destructive.

A. Philip Randolph, shortly after the great 1963 March on Washington, told a convention of the AFL-CIO: "The Negro's protest today is but the first rumbling of the under-class. As the Negro has taken to the streets, so will the unemployed of all races take to the streets."

Only when that prophecy comes true, when the Million Man March and the Stand for Children demonstrations become the forerunners of a new great multi-racial movement for economic justice, can we hope that Du Bois' "problem of the color line," though it may never disappear, will begin to fade.

Dr. Howard Zinn, who taught at Spelman College from 1956 to 1963 and was an active participant in the civil rights movement, is the author of the "People's History of the United States."

Editor's note: *The following statement arrived too late for placement among the Statements by Leaders.*

Dorothy Irene Height

With the passage of civil rights laws, and the strengthening of protections for women, African American women have made tremendous progress. From the founding by a free woman of color of the Female Anti-Slavery Society in 1832 to a powerful, creative force of 17.5 million females 16 years and over in 1996, black women have been and continue to be on the move and to advocate for their civil rights.

The National Council of Negro Women (NCNW) makes the case for an action agenda as we enter a new century. The newly created National Centers for African American Women of the NCNW are clear evidence of the progress made and the continuing need to expand opportunities and to improve the quality of life for families and communities. The divergent voices from African American women enrich the dialogue on the issues and provide a foundation for building coalitions and developing the strategies needed to empower women, strengthen families, embrace youth, and rebuild our neighborhoods.

It is through a paradigm shift in the way NCNW will work that we will realize our heightened potential as agents of social change. Organized around this paradigm shift are five components of the National Centers for African American Women: the Bethune Program Development Center, the Economic & Entrepreneurial Center, the International Development Center, the Research, Public Policy and Information Center, and the Dorothy I. Height Leadership Institute. This programmatic structure will provide a crucial link to leadership, ideas, resources, services, communications, and information on important quality of life issues for women and their families in urban and rural America and in African countries.

Merging African American women's historic, cultural, and organizational achievements with the new capabilities of the information age speaks to the needs of the day and the hope for the future. In the spirit of NCNW's founder, Mary McLeod Bethune, African American women will exercise our civil rights by consolidating our collective power to *Lift As We Climb and Leave No One Behind!*

Dr. Dorothy Irene Height is President and CEO of the National Council of Negro Women.

THE FINAL CAUSE OF THE LAW

Overcoming Law
By Richard Posner (Harvard University Press, 1995. 605 pp. $39.95.)

By Kermit L. Hall

Supreme Court Justice Benjamin N. Cardozo once observed that "The final cause of the law is the welfare of society." The wisdom of such an instrumental approach has suffused the contemporary debate about the theoretical foundations of law. A "modern" view holds, among other things, that by employing the correct methodology, narrative, analytical technique, and mind-set (that is, by thinking and acting professionally) lawmakers can shape legitimately social choices. Law, according to that view, has a preferred claim as the foundational authority for addressing society's problems, since it offers the promise of objectivity, detachment, impartiality, and reason. In the past quarter century, however, post-modern legal thinkers have sought to move the intellectual debate about law's underpinnings away from the concept of objectivity and toward the idea of relativism.

Today, post-modernists condemn the value of universal truths, core essences, and foundational theories. To put matters most simply, post-modern legal thinkers have concluded that earlier efforts to explain the authority of law based on principles of neutrality, autonomy, internal integrity, and consensus are at once intellectually flawed and unjust. According to this critique, the modernist tradition, with its formal rules and abstract legal principles developed by the white male ruling class, fails because it ignores the perspectives and experiences of peoples outside the mainstream, notably Asian Americans, African Americans, Latinos, Native Americans, women, and gay people of all cultures.

This shorthand explanation of current debates about legal theory is an essential introduction to Richard Posner's "Overcoming Law," his latest work in a long line of brilliantly argued efforts (including a short biography of Cardozo) to confront our tangled web of legal and social relations. As important, Posner's ideas, and the more general debate about legal theory, hold important implications for the scope of civil rights in the years ahead. Many of the chapters in "Overcoming Law" originated in earlier works, both essays and lectures. Unlike Posner's other well-known books, such as "The Economics of Justice" and "The Problems of Jurisprudence," this latest work has something of a catch-all quality to it. It also, however, shows spectacularly the breadth of Posner's learning (from quantum physics to E.M. Forster's writing) and the variety of his interests (from anti-trust regulation through capital punishment to homosexual marriages). Moreover, it reveals Posner's willingness to engage his critics (even if, at times, he dismisses them abruptly) and to learn from them.

Posner blends his continuing devotion to the principles of the "Law and Economics" movement, of which he was a founder in the 1960s, with a continuing fascination with pragmatism as a middle ground between modernist and post-modernist legal theory. "Most lawyers, judges, and law professors," Posner argues, "still believe that demonstrably correct rather than merely plausible or reasonable answers to most legal questions, even very difficult and contentious ones, can be found ... by reasoning from authoritative texts." Posner, borrowing imaginatively from the post-modernist work that he disputes, views such an enterprise as foolish, even wasteful of time, energy, and money. Instead, Posner urges

Posner's ideas hold important implications for the scope of civil rights in the years ahead.

lawyers to adopt a pragmatic approach, to their work, one that is attuned to the tradition of Justice Cardozo. The good lawyer, judge, or lawmaker is concerned more with facts than theory, more with outcomes than philosophical niceties, and more with the distribution of social costs than with intellectual symmetry. It is the lawyer's duty, according to Posner, to make pragmatic goals and economic realities converge, a conclusion that casts doubt on the received wisdom of both modern and post-modern approaches to law.

Posner's many critics have dismissed him as a right-wing conservative more sensitive to the needs of modern corporations than to those of consumers, and more interested in the rights of property than in the rights of individuals. There is no doubt that others have borrowed from Posner's writings to make just such arguments. "Overcoming Law," however, reveals a scholar far too complex to caricature in such stark terms. If anything, Posner emerges as a strong voice for civil rights and liberties, one that is antidogmatic and committed to debate and free inquiry. The touchstone, however, of the discussion of rights, according to Posner, is results, not rhetoric. The best way to achieve results, according to him, is through a scientific approach that exposes falsehoods by generating hypotheses and testing them through experimentation. Hence, it is possible for useful knowledge to grow (and wise social choices to be made at law) even if ultimate truth remains beyond our grasp. One can ask, for example, the question of the costs associated with abortion of a fetus for the mother, the fetus, and the community. Arguing the fate of any of these as a problem of analytical philosophy, however, is a waste of time, according to Posner, because such an approach overemphasizes the logical manipulation of concepts and underemphasizes the importance of empirical support for one's views.

Such a perspective moves Posner the pragmatist to reject the idea of immutable rights, moral obligations, and reverence for the past. He significantly discounts the concept of state decisis as a basis for good policy in the law, although he recognizes, at the same time, that a judge may well find it practical to adhere to precedent and maintain a low profile. The best guide to justice, according to Posner, is through a pragmatic application of economic principles to such diverse human activities as education, politics, health, and family relations. Posner also accepts that some aspects of social behavior resist economic analysis by a judge. The abortion issue, Posner argues, ultimately turns on the moral and cultural question of whether we should count the fetus as part of the community rather than economic choice.

Posner connects his vision of the liberal state with John Stuart Mill's concept of 'self-regarding' behavior.

What is most striking in this new work, however, is that Posner connects his vision of the liberal state with John Stuart Mill's concept of "self-regarding" behavior. Mill insisted that every person is entitled to liberty to the extent consistent with the liberty of every other person in the society. Self-regarding behavior is that behavior which does not harm other individuals.

This matter is a key to understanding Posner's vision of "overcoming law." He means by this phrase the value of overcoming the modernist impulse to fix the meaning of law in some objective reading of formal legal texts and the post-modern belief that all law is politics and therefore relative. Thus, he fuses the liberalism of Mill with the pragmatism of John Dewey and especially that of Oliver Wendell Holmes, Jr. Posner cites Holmes' famous invocation, supposedly spoken in private, that a law is constitutional unless it makes a judge want to "puke." In this light, judicial behavior is little more than instinctual; it operates below the level of understood thought, so much so that any effort to assign it a rational justification is more rhetorial than real. Empirical inquiry, however, can and should inform the essentially instinctive behavior of a judge. Paradoxically, this approach leads Posner to conclude that a judge's effort to stretch constitutional clauses to support a position is acceptable if such stretching is accompanied by "a compelling practical case or imperative felt need for intervention." Posner's message is that values alone are not good enough, no

matter how carefully derived from reasoned formulations or strongly felt. To be legitimate, choices at law have to be founded in empirical observation and a test sufficiently scientific that they can be rejected, on factual grounds, if found to do something that was not intended.

By book's end, few legal thinkers are left standing. Posner applies his combination of classical liberalism and pragmatism to scuttle the ideas of feminists, critical race theorists, critical legal studies proponents, and constitutional scholars of the left and right. He describes, for example, Herbert Wechsler's attack on *Brown v. Board of Education* (1954, 1955) as ill conceived because it missed the point: judges could never stand on neutral principles in the "messy world of empirical reality" when forced to assess the motives and consequences of public school segregation. Posner brings equally withering criticisms to bear on such notable figures as Bruce Ackerman, Ronald Dworkin, Patricia J. Williams, and Mark Tushnet.

Posner's emphasis on pragmatism does not, of course, end the debate about outcomes. Indeed, he gives a particularly incisive reading of the affirmative action debate, arguing that the only measure of its legitimacy is the extent to which it works to meet its own professed objectives, a test that he believes most programs fail. Posner also admits that his empirical and scientific method often does not help to resolve difficult disagreements over ends. He suggests in these instances that the best we can hope for is to "muddle through." If so, then it may well be that all the intellectual debris Posner scatters in his wake is of greater value than he admits. Analytical methods and theory, in this regard, may have something to tell us about what choices are appropriate on metaphysical and even moral grounds.

Anyone interested in the current debates about rights and liberties, the status of jurisprudence, and the relationship between legal theory and social practice will find "Overcoming Law" rewarding, engaging, and, depending on one's view, either compelling or obtuse. They will also discover a kinder and gentler Posner, one now able to find merit in the work of scholars that he previously dismissed as intellectually suspect. As important, he reminds us again of Justice Cardozo's admonition that the final cause of the law is the welfare of society. Since the economic value of every choice cannot be calculated, what we mistake for uncertainty in the law is actually a useful degree of ambiguity in our social fabric. Ironically, Posner, the leader of the Law and Economics movement, actually brings us closer to a reading of the post-modern condition that stresses toleration and diversity as prime social goods than do similar efforts by post-modern critics who have judged Posner so harshly in the past. Posner accepts the idea that politics shapes the law, a surprisingly post-modern view of legal culture from a scholar usually described as more interested in economic benefits for the haves and doom for the have-nots. Yet he also recognizes that attention to the social costs of proclaiming rights is essential to the freedom of every individual in a self-regarding society.

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CONTINUING THE PUBLIC DIALOGUE ABOUT RACE

Color-Blind: Seeing Beyond Race in a Race-Obsessed World
By Ellis Cose (Harper Collins, 1997, xxvii + 260 pp. $24.)

Color Conscious: The Political Morality of Race
By K. Anthony Appiah and Amy Gutmann (Princeton University, 1996, 191 pp. $21.95.)

By Frank H. Wu

Imagine two strangers passing by: an Asian man and a Caucasian woman. Who more likely is the tourist and who probably speaks Chinese? What answer might be reasonable and what response "politically correct?"

Or consider a criminal justice system that arrests, prosecutes, and imprisons a disproportionate number of African American men. If one observer voices concerns over this pattern of punishment and another warns of violence from black males, who *is* playing the proverbial "race card?"

And so on, with affirmative action and immigration, diversity and demographics, being discussed with the blend of optimism and pessimism that marks the turn of the millennium, two thoughtful books on the subject of race have appeared: Ellis Cose's "Color Blind: Seeing Beyond Race in a Race-Obsessed World" and K. Anthony Appiah and Amy Gutmann's "Color Conscious: The Political Morality of Race."

After the success of his "The Rage of a Privileged Class," which described the situation of middle-class African Americans, journalist Cose has returned to race. His book represents a welcome trend: the author of a book on immigration, Cose knows that a black and white view of race relations does not match reality. He includes the increasing number of groups and individuals who are neither black nor white.

Cose begins with the topic of Census Bureau racial classifications and the mixed race movement. He is sympathetic to individuals who refuse to be confined to simple categories or forced to reject their ancestries, but sensitive to the hierarchies that become clear as soon as people who have options choose white instead of black or light over dark.

Cose is ambivalent about affirmative action. His principled doubts should be heeded. He observes that the late Rev. Martin Luther King, Jr. would be surprised by the uses of his words. He points out that some opponents of affirmative action seem to care about only innocent white victims of so-called reverse discrimination, and he emphasizes the importance of having an alternative before abolishing affirmative action. Yet he notes that King strongly supported policies that benefit the disadvantaged regardless of race, and he doubts the wisdom of current remedial programs.

In a wide-ranging work, with comparisons of the U.S. scene to Brazil and South Africa, Cose closes with a dozen suggestions for "race neutrality." They range from becoming serious about fighting racial discrimination to not believing time will solve the problems, not hoping for a single solution, and not playing the "blame game."

Professors of philosophy at Harvard and politics at Princeton, respectively, Appiah and Gutmann have based their book on their talks given for the distinguished Tanner lecture series. Their book is an impressive intellectual achievement.

Synthesizing thinkers such as Charles Darwin and W.E.B. DuBois, Appiah asks whether the notion of race has a basis in either biology or sociology. He shows how our common-sense perceptions of race are based on assumptions that racial groups share sets of characteristics but that these presumptions are neither accurate nor useful. The assignment of races and corresponding characteristics to individuals also is emphatically involuntary.

According to Appiah, "We expect people of a certain race to behave a certain way not simply because they are conforming to the script for that identity, performing that role, but because they have certain antecedent properties that are consequences of the labels properly applying to them." He concludes, "If I had to choose between Uncle Tom and Black Power, I would, of course, choose the latter. But I would like not to have to choose. I would like other options."

Gutmann hopes to envision such options. She rejects race consciousness for a color consciousness she defines as a project of recognizing how color functions and responding

to its effects, in order to achieve specific substantive goals of social justice. Her color consciousness is a color conscience. Like Appiah, Gutmann recognizes that while race is a social construction rather than a scientific reality, it nonetheless can be powerful and damaging.

Gutmann reasons through her form of color consciousness that affirmative action programs, even in the strong sense of preferential treatment, can be considered fair. If integration is a proper goal for a school, for example, then being black can serve as a "tie-breaker" qualification if there otherwise would be no blacks at all on the faculty, as in the controversial *Piscataway* case. Gutmann gives a cogent interpretation of the Voting Rights Act, showing that securing the right of blacks to chose a representative, who might not be black, and to advance their principled interests is compatible with equality in the democratic process.

Color-blindness is contradictory. Some of the same people who implore us to ignore race themselves make assumptions about not only who is probably a tourist, but also who has a propensity to commit crime. Many people who invoke the phrase "color-blind" do not intend its practice, not because of bad faith, but because of how bizarre its actual operation would be for them; they are obsessed without being aware. Cose quotes a teacher who argues that presenting images only of whites in the classroom is acceptable, because, after all, race shouldn't matter.

Trying to be color-blind, instead of reducing the role of race, reveals assumptions we share unconsciously. Perhaps the alternative to color-blindness is not necessarily old-fashioned racism. Comprehending how race functions may be a complex and more difficult approach, but pragmatic as well as moral. An all-white university has a different history, purpose, and effect than a predominantly black college— incidentally, the black institutions almost always have been integrated. Appiah and Gutmann think about race by considering contexts and consequences, giving a richer understanding of what we mean by race itself.

Appiah and Gutmann think about race by considering contexts and consequences, giving a richer understanding of what we mean by race itself.

Cose, Appiah, and Gutmann offer reasoned responses to two successful but spectacularly wrong books on race: "The Bell Curve," which argued that blacks were genetically inferior, and "The End of Racism," which countered that they are culturally pathological. Cose, Appiah, and Gutmann confront the basic issue of what is wrong with racial discrimination.

The easy answer is that racial prejudices are generally irrational—they are based on erroneous or exaggerated perceptions. But the harder problem is that a few racial stereotypes, both complimentary and derogatory, are "true"—if only as to invented groups. The latter type of racial generalizations are what Thomas Sowell and Dinesh D'Souza have termed "rational discrimination." They assert that truth serves as the defense; if it is more likely than not that members of a racial group display a trait, then it is acceptable for us to treat individuals accordingly.

The best responses to such rationalization may be some combination of Cose, Appiah, and Gutmann. However much each of us could enjoy short-term gain from mistreatment of others based on race, even if we are not the perpetrators of the wrong, all of us in the long run benefit from a principled rejection of the negative use of race.

The remaining issue is whether there can be any positive references to race. For individuals and communities, the dual dilemmas are welcoming diversity without losing all distinctions, as well as accepting differences without imposing them.

Cose, Appiah, and Gutmann offer ideas, not ideologies, on race relations. Their books can be highly recommended as a matched set continuing an important tradition of public dialogue on race relations.

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Books

DISSECTING PREJUDICES

The Anatomy of Prejudices
By Elisabeth Young-Bruehl (Harvard University Press, [illegible] pp. $35.)

By Jack L. Nelson

Prejudice is one of those human enterprises, like crime and corruption, that never seem to abate fully. Prejudices, in different forms and with differing victims, remain common. No matter how sophisticated the modern world has become about superstition, propaganda, and dogma, we still inflict and suffer from prejudicial acts—a tradition hardly reasoned. The intellectual and civilizing activities that separated humans from other animals created modern society. Among these, science-based work in the social sciences identified and cataloged forms and practices of prejudice, and provided a basis for social policy and educational programs that research suggested could reduce or eliminate it. But prejudices do not appear to have diminished, despite policy changes and educational efforts over a long period.

Human intellectual pursuits have also given rise to post-modern criticisms of science, its paradigms, and its social consequences. Although we may assume that we have a more scientific understanding of human characteristics and behavior, post-modernists argue that our science may be merely another type of superstition and dogma: a class-, race-, and/or gender-based secular religion. That critique may offer a better explanation of the failure of research into prejudice and applied programs of prejudice reduction. This book tries the critique and the explanation.

Elisabeth Young-Bruehl examines a broad body of literature, submitting that traditional social science work was faulty as it classified prejudice as a singular entity, rather than a complex of significantly different prejudices. Further, she argues that this faulty literature has had deleterious consequences for social science, social policy, and education. The defining and differentiation of prejudices, in contrast with the social science framework within which they have been contained, is the anatomical dissection called for in her book's title.

Young-Bruehl is a professor at Haverford College and a psychotherapist. In a prologue, she notes the genesis of the book: teaching some four hundred students in a series of courses at Wesleyan University and at Haverford, exploring the large social scientific and humanistic literature on prejudice. This book is partly a critique of that literature and partly the development of a different theoretical construct to explain prejudice(s). More particularly, her book treats antisemitism, racism, sexism, and homophobia and her effort to distinguish among them, allowing her theoretical claim that "different prejudices are characteristic of different psychic or character types" and that "different social conditions promote different character types and their corresponding prejudices." She presents her theory as a "diagnostic answer" for her students, based on a tri-partite framework from psychoanalysis, a Max Weberian sociological theory of ideal types, and an adaptation of Hannah Arendt's methodology. This mix of psychology, sociology, and political philosophy represents a large canvas of social science for her analysis and synthesis.

Central to Young-Bruehl's critique of existing social scientific literature on prejudice is its overgeneralization, the unitary quality of the most widely accepted definition of prejudice, as a single phenomenon that appears in many shadings. She argues that little in the literature examines the way theories of prejudice have evolved and that the early work describing prejudice as a single concept has continued to dominate the discourses about prejudice while hiding its complexity. This inclusivity conception, as traced by Young-Bruehl through such classic authors as Max Horkheimer, Gordon Allport, and Gunnar Myrdal, has come to be accepted in academe and in public as though it were true. One example she reports is Allport's thesis that people who are prejudiced against one out-group will tend to be prejudiced against any out-group; it is a "generalized" attitude. That synthetic view "helped him doom all subsequent social scientific studies in prejudice to superficialities about the very different prejudices—like antisemitism, racism, and sexism." This social science account provides that antisemitism is not significantly different from white racism or sexism in any time period and that all outgroups are scapegoats that allow people to project their fears and foreboding.

For education and social policy, this has meant a generalized set of ideas that support a singular approach to eliminating or mitigating all prejudice. Two examples represent

this thinking: 1) assimilation programs that intend to bring about a melting-pot and 2) intracultural education designed to make out-groups more acceptable to the in-group by diminishing differences. These approaches to the reduction of prejudice differ significantly from the pluralist ideas of multicultural education where separate groups seek to retain their own identities and desire recognition for their differences, not for their blending. Young-Bruehl notes that the idea of multicultural education incorporates a distrust of the standard social science view of a singular form of prejudice, and she contends that many of the critics of multicultural education do not understand the significance of this distinction and the distrust it connotes.

Among the interesting points made in this book are that three competing forms of language used in the discourse on prejudice have emerged and that, often, those that use one language do not understand the others. Young-Bruehl identifies one language as deriving from the postwar discussions of Nazism and antisemitism, where the battle between democracy and totalitarianism framed the discourse and where minority rights were a focus. A second language arose out of the experiences of colonialism and American racism. This language was based on nationalism or liberationism, a rebellion of people against oppressors and the oppressors' view that they were inferior. The third language noted by Young-Bruehl developed from the women's liberation movement, where the battle was between private and public spheres of life. Men not only controlled public life, they extended their power into domestic life exerting domination as over servants.

These three languages indicate different forms and approaches, rather than a singular prejudice. From the social-psychological literature, Young-Bruehl draws three broad character types—obsessional, hysterical, and narcissistic—to indicate distinctions among the personality characteristics that underlie the primary forms of prejudice. Antisemitism, she argues, represents an obsessional type of prejudice. This is the form for "rigid, superego-dominated" people. Obsessional prejudice in America followed this pattern in McCarthy-period anticommunism and in the current bashing of Japan for its commercial tactics. Racism, says Young-Bruehl, is an example of hysterical prejudice, rooted in ideas of sexual repression and fantasy. And sexism, she says, involves a narcissistic characteristic, wherein the prejudice is against those who are not the same anatomically. Its purpose is control over female sexuality and reproduction.

In critical theory fashion, Young-Bruehl deconstructs the existing 50 years of social scientific work on prejudice, then constructs her own theoretical structure that prejudice is multiple in causation, form, and consequence. This is a book of fine critiques of many of the standing pillars of a social scientific age. With clarity and understanding, she deftly carves the works of such notables as Otto Klineberg, Emory Bogardus, C. Vann Woodward, Lester Thurow, Bruno Bettelheim, Wilhelm Reich, and Kenneth Clark, among others. Her book, if nothing else, is a worthy educational endeavor for sampling a rich body of work, however faulty she finds it. Her critique of that literature is well done and provocative, much in the form of postwar critiques of functionalism and its domination over social science and of postmodern critiques of positivism. The critiques are, from my view, the best part of the book.

Her theory of multiple causation, form, and results of prejudice seems reasoned and reasonable, but her elaboration of the character and ideal types that she thinks account for the distinctions among prejudices falls into similar social scientific categories that, themselves, are subject to critical examination, another deconstruction. This makes the theory less substantial and less compelling. How do we know that the psychological typologies of obsessionism, hystericalism, and narcissism are more than contrived ideas similar to superstition? What justifies each of these social scientific categories as unitary concepts, rather than as additional examples of false conscious constructs that hide more important phenomena about personality and prejudice? Presenting categories for individual and societal behavior that use fuzzy-edged clinical psychology titles, after faulting much of the socio-psychology literature, does not make the reader leap to embrace the new theory. Is not the same critique used by Young-Bruehl usable on Young-Bruehl's work? Are there not more than three essential prejudices, and how far can they be reduced?

This book raises more than theoretical concerns. Democracy, as Aristotle, John Locke, John Dewey, and the popular American creed proclaim, is the form of society that most requires a presumption of rationality, equality, and justice among peers. To prejudge, making decisions about others without the benefit of knowledge, and to act on those prejudgments without benefit of better knowledge, would be out of place in a society that claims to be a democracy. Further, democracy, more than any other form, demands an educated populace, and a well educated populace should offer no haven for prejudice. Young-Bruehl's critique also raises important questions about democracy and education, and it lodges a serious criticism of the bases for much of the social policy and educational efforts designed to deal with the prejudices that afflict American society. If the formulation

of prejudice as a single entity is defective, the programs depending on that idea are also defective.

Most of the evidence we have is that schools, for example, have not been very good at dealing with prejudice by treating it as a single concept. Nor have policy changes such as campus speech codes that prohibit sexist, religious, or ethnic slurs while they limit free speech had a demonstrable effect on prejudice(s). Many prejudice reduction programs suffer from a moralistic simplicity similar to that of the failed drug abuse admonition, "Just say No." The parallel idea in prejudice- reduction policy and education is often "Just be nice" or "Just be a good citizen."

The explanation in this book suggests a reason for the apparent failure of such programs. Young-Bruehl presents an epilogue that addresses some of the practical implications of her work, but it is the shortest chapter and suffers from overgeneralization. One hopes that she will produce another volume elaborating a set of recommendations to change social policy and education to meet the defects she clearly shows in existing theory, a volume that presents her own theory more fully in its implications for practice. What we do in schools, and in public policy, to address prejudices is extremely important; this work contributes significantly to the theory, but does less well in grounding our changes in practice.

Dr. Jack L. Nelson, a professor of education at Rutgers University, has been a visiting scholar at Stanford, California at Berkeley, Cambridge (England) and other universities. He has written 15 books and numerous articles and reviews, many of which have examined civil rights and civil liberties issues.

A CONTRIBUTION TO CONVERSATION ON RACE

Liberal Racism
By Jim Sleeper (Viking, 1997, 195 pp. $21.95.)

By Richard D. Kahlenberg

Conservatives often complain that the left labels its opponents "racist" so promiscuously that the term has lost meaning. Now comes journalist Jim Sleeper, giving liberals a taste of their own medicine. There is a new liberal way of thinking, he says, which can only be called "liberal racism."

By this term, Sleeper means not black racism as the flip side of white racism—an assumption of white inferiority. Instead, he refers to the legitimation of stereotyping, leavened by white liberal condescension. Where in the 1970s liberals like Justice Harry Blackmun supported racial preferences as a temporary way to "get beyond racism," the new diversity theory gives "no sign of wanting truly" to get to eventual colorblindness. The new liberal theory, Sleeper says, assumes "that racial differences are so profound that they are almost primordial."

It is not clear that Sleeper's use of the term "racism" is helpful (I would argue "racialism" is more accurate). But Sleeper is certainly on to something. It is astounding, he notes, that where it used to be considered prejudiced to assume that one can look at a person's skin color or gender and know something very meaningful about their life perspective, now it is taken as a given by many liberals. In newsrooms, publishers insist on "getting beyond the white male point of view;" to which one reporter retorted: "Who is this white male? Adolph Hitler? Albert Schweitzer? Me?"

Worse than the practice of conflating culture, viewpoint, and skin color, Sleeper says, is the tendency of some liberal whites to hold blacks to lower standards. Sociologist Andrew Hacker, for example, tries to explain away black crime as a natural response to discrimination. But Sleeper argues that just as the early civil rights movement "invoked moral judgements in order to convict white segregationists of sin" so we all should hold ghetto residents to basic standards of behavior and not deny them moral agency. So too, in university admissions, if part of the argument for integration is to reduce prejudice, he says, all the more reason for blacks to be held to the same standards as whites. Surely, many blacks suffer from inadequate educational training, and consideration of class disadvantage is appropriate; but it is part of liberal racism, Sleeper says, to assume that even the most affluent and educated black family is somehow educationally disadvantaged.

In explicating his thesis, Sleeper's book sweeps widely, discussing not only crime and affirmative action, but also race-conscious voter redistricting, modern-day Africa, and diversity management at The New York Times. Along the way, he also touches on transracial adoption, jury nullification, and the black rage criminal defense.

To my mind, Sleeper's best chapter involves a comparison of two of America's most thoughtful thinkers on race, the liberal Harvard Law professor Randall Kennedy and the conservative Boston University economist Glenn Loury; both of whom appear now to be converging in the center on racial matters. Kennedy rebels against the mindless racialism of the academic left, and, swimming against a powerful tide, makes an eloquent case against racial kinship and for the universalism that once fired the moral imagination of the civil rights movement. Loury reacts against obscene genetic arguments

on the right and his sense that many conservatives feel absolutely no kinship with poor inner-city blacks and no concern for their plight.

On economic matters, Sleeper is much closer to Kennedy the liberal than Loury the conservative, but this leads him to advocate what is today called the "conservative" position of colorblindness. He argues that race consciousness plays into the hands of the rich—that Republicans were only too pleased to maximize the number of black voting districts in order to win the House of Representatives; that corporations are willing to embrace preferences if it means minimizing liability from litigation; that Richard Nixon used affirmative action to divide white ethnics and blacks; and that, in the end, "Liberal racism thwarts a transracial, class politics that could seriously challenge abuses of economic power." Liberal racists, Sleeper says, "support [race-specific] remedies because they have no serious intention of redressing deeper inequities that divide not only whites from blacks but also whites from whites (and, increasingly, blacks from blacks.)"

What makes Sleeper's argument particularly powerful is that he takes two liberal truths—that racism continues to exist, and that our Nation must prepare for greater diversity in the years to come—and turns them around to support colorblindness. On the first point, he writes: "Racism endures, of course, and it is duplicitous and cruel; that only makes liberals' own complicity in it all the more fateful and unforgivable." On the second point, he says: "Precisely because the county is becoming more racially and religiously diverse, we should be working overtime to identify and nurture the shared values and affectional bonds that have spared it the fate of so many nations."

Before President Clinton's national conversation on race goes any further, he should take the time to read this important contribution.

Richard D. Kahlenberg, a fellow at the Center for National Policy, is author of "The Remedy: Class, Race, and Affirmative Action."

ADDRESSING INTEGRITY IN OUR HERITAGE

Integrity
By Stephen L. Carter (Harper Collins Basic Books, 1996. 261 pp. $24.)

By Donald F. Beisswenger

In his new book, Stephen Carter continues his conversation with America about the character of our common life. The Rev. Martin Luther King, Jr. called us to live out the true meaning of our heritage, and Carter calls us to address integrity as a key feature of that heritage. His goal is to expand the values debate beyond the arguments of the political right.

Integrity is that virtue of a person, institution, or nation that pushes toward wholeness, living by what is professed. Because we often care more about winning than for playing by the rules, Carter says, we lack integrity. We become subject in our private or public life to cheating, lying, breaking promises, and losing a center.

The author differentiates three components to integrity: First, it requires discernment of what is right and what is wrong, and thus involves serious moral reflection. Second, it means acting, even at personal cost, on what one has discerned. Third, it means saying openly that one is acting on one's understanding, so that others can understand the action.

Carter then examines how integrity applies to the media, political life, marriage, sports, and letters of recommendation. For instance, he discusses the writing of recommendations for students to potential employers—recommendations that mean little because superlatives are normal. Regarding journalism he says caricature is used to create attention, reducing complex issues to either-or. Integrity in marriage requires making and keeping promises to develop lasting and vital relationships. In sports, the rules are vital, yet the goal of winning has become so central that we celebrate when someone gets away with a violation.

Why do we admire integrity? Integrity combines a number of values that command our respect, he suggests. One such value is reliability. Living among people who do not keep promises becomes intolerable. Trust disappears. "Politics without trust is simply war," he asserts. Forthrightness is another aspect of integrity: people say what they believe and think, even at risk to themselves. Misdirection seems, he finds, to have become a national habit, so instead of telling us what they mean leaders tell us what will give them the right image. Compassion also plays a central role in integrity, because it tempers our devotion. Life is filled with complexity and moral ambiguity. There are conflicting demands before us, and compassion acknowledges this reality. Public life requires a complex blend of personal commitment and openness to others. One must be steadfast, but one is a fanatic if uncompromising about everything.

Carter develops his discussion by distinguishing integrity from honesty. One can be honest and have little integrity. Integrity demands the hard work of discernment, for without that, honesty becomes empty. A racist can tell us what he or she thinks. The person may be honest,

but has that person engaged in serious moral reflection? "The short of the matter is that honesty and consistency about one's principles are insufficient to show integrity when we can see that the principles themselves are evil," Carter states.

His reflections on integrity in politics begin with the words "American politics is a mess." His recommendations for principles that can contribute to the revitalization of the republic are valuable:

Remember that nations exist for the people. Elites, whether of the right or the left, are not to dominate. People are ends, not means.

Some things are more important than other things. Priorities need to shape what people focus upon. More local control can help the people shape the priorities.

Consistency matters. Welfare for poor mothers may create dependency, but it does so for corporations, too. Corporate welfare is far more costly than that for individuals, yet rarely discussed.

Everybody gets to play, and that includes people who find religious language and values important for the public square. "Democracy is about making sure that every voice is heard, that no voice is privileged, and that everybody plays by the rules," he explains. "Democracy is not about making sure that we win but that we discover a national interest." Engaging in public life characterized by integrity will take much work. "If we are too busy or too cynical to go out and do the hard work of democracy...then we can hardly complain when others take advantage of our political laziness and incompetence," he reminds us.

Carter ends the book with a discussion of evil and what he calls "The American Core" a set of common values. "The American Core" defines three things as evil: racial hate, violence based on difference, and violence resulting from a closed mind. Other matters cannot be exempt from discussion and debate. If one believes the death penalty is evil, tolerance becomes difficult. If aborting a fetus is evil, what is integrity then? Carter believes democracy demands dialogue. If a citizen refuses to dialogue with another, it is an offense against civility, he counsels. When closed-mindedness is coupled with violence—the reckless act of harming another—we have evil. Genocide, for him, represents the embodiment of evil.

Carter has made a helpful contribution to our perspective of public life. His call for serious moral discernment makes great sense, though I believe it needs clearer definition. We all believe we undertake serious moral discernment. But it is in careful attention to the other that we grow. The three dimensions of integrity he outlines might be more dynamic if a fourth component were added: learning from the responses to one's actions and the interpretation offered. Integrity, then, would truly become a movement toward wholeness, not a claim to be there.

Still, Carter's project, giving clarity to a word used with great frequency in public life, must be applauded. He attempts it with integrity.

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DISCUSSION OF INEQUALITY RANGES FAR

Inequality by Design: Cracking the Bell Curve Myth
By Claude S. Fischer, Michael Hout, Martin Sanchez Jankowski, Samuel R. Lucas, Ann Swidler, and Kim Voss (Princeton University Press, 1996, 318 pp. Paperback $14.95.)

By Ken Carlson

The subtitle of this book may do a disservice to the book. To be sure, the book does systematically demolish the arguments of "The Bell Curve," but this rebuttal is only part of a far-ranging discussion of inequality in the United States. It would be a shame if potential readers assume the book to be nothing more than a rehash of rebuttals with which they are already familiar.

Even in terms of the rebuttal itself, "Inequality by Design" is by no means a mere recapitulation of previous arguments. Indeed, the authors express disdain for the ad *hominem* attacks on Herrnstein and Murray and for those rebuttals that are notable for facile nobility rather than scientific explication.

What the authors do most effectively is the reanalysis of the very data that Herrnstein and Murray used. The results are laid out in a clear, straightforward manner that nonspecialists should be able to comprehend easily. (Clarity of expression is a hallmark of the entire book, which made this reader wonder how the six authors divided their tasks and arrived at such a felicitous prose style.)

The deconstruction of "The Bell Curve" is accomplished by illustrating several features of that book: the data massaging common in psychometric methodology; the tortured construction of bell cures from data that are not bell shaped; the confusion of correlation with causation in arguments for the validity of a test; the arbitrary definition of intelligence that inheres in IQ tests; and the misreading, or dismissal, of data that contradict the genetic hypothesis.

Soon the authors of "Inequality by Design" are well into the main purpose of their book, demonstrat-

ing that inequality, and especially its magnitude, are socially designed and not a consequence of IQ "intelligence." From this point on, the busy reader can glean a tremendous amount of information simply by perusing the numerous tables, graphs, and figures. The reader would learn that the magnitude of the current inequality in the United States does not reflect any historical constant, nor is it of the same order as that found in other first world nations. The gap between the social classes in the United States today is unusually wide historically and internationally.

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BRIDGING A BIG VOID IN SOCIAL HISTORY

Unbound Feet: A Social History of Chinese Women in San Francisco
By Judy Yung (University of California Press, 1995. XIV + 395 pp. Hardcover $45. Paperback $15.95.)

By Evelyn Hu-DeHart

This long anticipated work by historian Judy Yung fills what had been a big void in Asian American studies, women's studies, and American studies literature. Focusing on Chinese women in San Francisco from the late 19*th* century, when they arrived there, through the first half of the 20*th* century, and working from dual outsider/insider perspectives as a trained historian as well as the daughter of one of her informants and subjects, Yung skillfully documents, retells, and analyzes the life experiences of these women as immigrants and as immigrants' daughters and wives marginalized by race, class, and gender. Interwoven into the sociohistorical text and analysis are numerous mini-narratives and personal testimonies of three generations of Chinese women spanning more than 50 years of collective memory. Their stories demonstrate the hardships and heartbreaks that might be expected, but recount above all the pragmatic behavior of these mostly ordinary yet often remarkable women as they adapted to survive in America.

Yung is careful to remind the reader that her study is limited to Chinese American women in San Francisco during the period under consideration; therefore, attempts to generalize across ethnicities to other or all Asian American women, or to generalize about Chinese American women without regard to time and location, should be circumscribed. On the other hand, she is right to assert that the large and early concentration of Chinese Americans in the San Francisco area made that location a logical base for the study, especially given the availability of informants and archival sources. As the child of Chinese immigrants to San Francisco, Yung also declares forthrightly a personal objective in undertaking her study, which was "the quest for answers to my own identity as a Chinese American woman—answers that I could not find in any history textbook...." That refreshing admission in no apparent way affects the academic integrity of the work.

Yung pays attention to class differences in the experiences of these Chinese American women. Thus, she specifies that for educated, middle-class Chinese American women, their views on gender roles and relations were mainly influenced by Chinese nationalism, by Christianity and Christian institutions and personnel, and by their desire to become acculturated into American ways of thinking and doing. In fact, because much of the documentary or primary sources spoke mainly to middle-class women, Yung readily admits that her study does not illuminate much about the experiences of illiterate, working-class women, and illuminates less about the immigrant generation than the American-born generation. It tends to focus on women of some achievement rather than on the large collective of ordinary women who have left no individual marks on history. Yet lower-class and working women, such as prostitutes or girl slaves (*mui tsai*), are not entirely missing, for some insights into their experiences have been gained from records of Protestant missionary homes and rescue missions.

Admission of limitations of the work notwithstanding, Yung's study could have been strengthened if she had provided some comparative analysis of Chinese women to other Asian immigrant women during the same period. The logical group would have been Japanese American women, on whom there exists a growing body of work, and whose numbers and history somewhat parallel that of Chinese women. In addition, comparison to contemporaneous women of other marginalized, segregated, discriminated against and excluded communities would have been both feasible, given existing literature, and illuminating. Some comparative analysis would have helped situate Chinese women in a broader social context and further clarified the significance of their stories in the larger framework of American history.

Onto a compelling narrative, Yung imposes her "gender, race and class" analysis. In most instances, she manages to do so without unduly disrupting the flow of the narrative or unnecessarily patroniz-

ing the reader who can reach good conclusions without being prompted. When she is clearly ambivalent about an issue, however, the flow of her narrative breaks down and her attempt to analyze the question becomes awkward and produces confusion. For example, she criticizes "Marxist feminists like Heidi Hartmann" for assuming that working class immigrant women such as Law Shee Low were oppressed if such women, from their "vantage point," did not feel "oppressed" by their confinement to the domestic sphere and their subordinate status vis-à-vis men. Then a few pages later she approvingly cites the argument of "the anthropologist Michele Zimbalist Rosaldo" (presumably not a "Marxist feminist") that women who "are confined to the private sphere, cut off from other women and the social world of men," remain "oppressed."

Some readers may quibble with Yung's largely uncritical treatment of missionaries and religious institutions in the lives of these Chinese women. For example, Yung draws heavily on Presbyterian and Methodist missionary journals and case files to recount "harrowing stories" about Chinese prostitutes and other abused women. While she notes that some of these records might indeed have sensationalized the situations, she does not sufficiently interrogate the nature of these sources nor the motives of the missionaries in undertaking work to "rescue" and "civilize" Chinese women; she does not plumb the ideological implications and consequences of the relationship between missionaries and desperate women cut adrift from family and cultural moorings.

These comments are not intended to detract from the value of this significant work, but rather to raise some questions. As written, "Unbound Feet" is suitable for the general as well as the academic audience.

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STEPS TOWARD A MORE HUMANE AMERICA

Toward a Caring Society: Ideas Into Action
By Pearl M. Oliner and Samuel P. Oliner (Praeger Publishers, 1995. 240 pp. Paperback, $19.95.)

By Fred Cloud

Numerous social critics of American life in the mid-1990s have characterized much that happens, especially in business and in politics, as "mean spirited." All too many individuals, including some elected leaders, seem uncaring about the plight of America's poor and homeless persons, displaced workers, and racial and ethnic groups who are still the objects of hostility and discriminatory practices. What has led us to this troubling state of affairs? How can we become a more humane, compassionate nation?

Professors at Humboldt State University in California, Pearl M. Oliner and Samuel P. Oliner offer persuasive and practical answers to those questions in "Toward a Caring Society." Significantly, both are also directors for the Altruistic Personality and Prosocial Behavior Institute.

The Oliners reach back in history 50-plus years to glean deep insights into the conundrum of care. They studied carefully a group of individuals known as "rescuers"—non-Jews who risked their lives "to help some Jews survive the Nazi Holocaust." This group was quite small—less than a half percent of the population under German occupation—but their altruistic behavior grabbed the attention and the admiration of the Oliners.

What is the connection between the "rescuers" and "caring? For the authors, caring means "assuming personal responsibility for others' welfare. To assume personal responsibility for others' welfare means to acknowledge others' needs and to act responsively." What led the rescuers to care, and the nonrescuers to be indifferent to the plight of the Jews in the face of death? The Oliners identified two major factors that made the critical difference: "the degree to which rescuers felt attached to those around them and the degree to which they felt obligated toward diverse other groups."

Analyzing their findings, the Oliners identified in the group of rescuers eight social processes—four that focus on "attaching" and four that focus on "including." The attaching processes are: bonding, empathizing, learning caring norms, and practicing care and assuming personal responsibility. The including processes are: diversifying, networking, resolving conflicts, and establishing global connections. The authors have organized "Toward a Caring Society" around these eight social processes, devoting a full chapter to each process.

The final chapter is devoted to spelling out with much specificity how these processes might produce a caring attitude and behavior in business, "because it is generally presumed to be incompatible with care." Using specific examples to illustrate how each of the eight processes is already used in some businesses, the authors conclude that using these processes "would

help root business participants in caring relationships with those in their immediate vicinity, their local and national communities as well as the globe."

What is the likelihood that change in the direction of a more caring society will occur in America as we enter the 21st century? "Toward a Caring Society" reveals an optimistic bent on the part of the authors. But they are realistic about obstacles to be overcome. Two characteristics of American life are intense competition and an emphasis on individualism. Carried to the extreme, these undercut concern for the well-being of the group. The authors do not denounce competition and individualism, but insist that "they need to be tempered and balanced by care."

Another problem to be overcome is the use of "dehumanizing language." The authors are correct that civility is basic to civil rights. Violent, abusive language often leads to overt violent acts.

The Oliners posit a "non-caring spectrum," with "ideologists" at one extreme and "particularists" at the other. The danger posed by ideologists is that attachment to abstractions can overcome concern for real people. On the other hand, particularists may love their own "in group" intensely yet feel no attachment to the larger society. Thus, we have the ironic tragedy of "prolife" persons killing abortionists.

How are we to work for social change in the direction of a caring society? The authors contend that change "needs to come primarily from the 'inside out'—that is, from individuals finding, nurturing, and creating the conditions that promote care within the social institutions in which they routinely live their lives."

This is definitely not a book to be read only once and then put on the shelf. It may properly be viewed—and used—as a manual for agents of social change. The reviewer shares the conviction of the authors that all human beings need to be valued, included, and involved in the life of the total community.

Dr. Fred Cloud, Editor-in-Chief of the Journal of Intergroup Relations, is also President of Human Relations Consultation Services in Nashville and a professor of sociology and psychology at American Baptist College.

Because of space constraints imposed by an exceptionally restricted budget, the Journal could not carry all the book reviews that had been planned for this issue. To those reviewers whose deserving reviews were omitted and to our readers, the editors express regrets.

Letters

REPLIES TO 'ORGANIZED HATE IN AMERICA'

In keeping with U.S. Commission on Civil Rights' policy, several persons mentioned in an article titled "Organized Hate in America," published in the premier issue of the Civil Rights Journal, were offered an opportunity to respond. Responses received from William L. Pierce and George Burdi follow. The writer of the third reply, Tom Blair, was not mentioned in the article, but since the organization Aryan Nations was, Journal editors decided to print his reply reduced to the length specified for the other responses.

More Bombast Than Facts Found

By William L. Pierce

The article "Organized Hate in America" by the Southern Poverty Law Center's "chief investigator," Joseph T. Roy, which appeared in the Fall 1995 issue of this journal, is typical of SPLC productions: high on sensationalist bombast and low on facts.

The ill-named SPLC was founded by lawyer and direct-mail expert Morris Seligman Dees to raise money for the ostensible purpose of financing litigation against Politically Incorrect groups and individuals as a way of harassing them. The SPLC's fund-raising activity has been very successful.... Mr. Dees' announced goal is $100 million.

Unfortunately, this obsession with raising money colors everything the SPLC does, including the writings of its employees. There is a tendency to exaggerate and sensationalize, because this brings in the shekels from the SPLC's mailing list.

In the article referred to above Mr. Roy writes in a very loose way about a supposed rise to dominance during the 1990s of "neo-Nazis" in what he calls the "white supremacist movement." He names the organization of which I am the chairman, the National Alliance, as one of these leading "neo-Nazi" groups and attributes its gain in influence primarily to aggressive recruiting among "violence-prone neo-Nazi Skinheads." He pictures a power struggle between "neo-Nazis" and the Ku Klux Klan, with the Klan losing.

Actually, the National Alliance has never been a part of any "white supremacist movement" and has never focused its recruiting on Skinheads. Probably no more than 1 percent of our members ever have been Skinheads.

The one point on which Mr. Roy is correct is that the Ku Klux Klan and other essentially conservative, Christian organizations with a traditional racial agenda—i.e., organizations which are correctly called "white supremacist"—have declined in influence during the past decade, and white separatist organizations such as the National Alliance, with a radical racial agenda, have become much stronger.

This shift in relative strength from conservative organizations to radical organizations is not the outcome of any power struggle, however: it is the consequence of the worsening of the social, cultural, moral, and racial climate in America, as multiculturalism and "diversity" continue to take their toll. Perceptive, racially conscious men and women are beginning to see that the time is past when conservatism can hold the line against further decline. They are beginning to understand that a radical solution, which goes to the roots of the problem, is necessary. More and more of them are realizing that if there is to be a future for their children and grandchildren in America—and if their own lives are to have any lasting meaning—then American society must be changed in very fundamental ways, and soon.

These perceptive people are especially common among young professionals—teachers, artists, scientists, engineers—and it is the National Alliance's success in recruiting them during the past decade which has increased its relative influence. That influence will continue to grow in the future.

Statements Called Inaccurate

By George Burdi

This is my response to inaccurate statements about myself, George Burdi, and the record company Resistance Records. They were made by Joseph T. Roy, Sr., in his article entitled "Organized Hate in America." The issue of "fairness" toward me will not be dealt with as I feel this concept is of little value nowadays.

The article states that I was the "head of Canada's Church of the Creator and the Toronto-based Heritage Front." Both claims are false. I headed the small Toronto chapter of the Church of the Creator, not a country-wide organization. Also, I was only a supporter of the Heritage Front, albeit a highly vocal one. I never received a membership card. However, I am a friend of the real leader of the Heritage Front, Wolfgang Droege. I was always introduced as an associate, never anything more or less.

The writer also asserts that "Resistance Records is far more than a mere rock label" and that "it is a growing skinhead organization that aims to unite young white supremacists in North America under its banner." Both of these assertions are outright falsehoods.

Resistance Records is indeed only a record label. We are incorporated as such in the State of Michigan and we pay our taxes as such. We are not a political organization of any kind. We do not have members, only customers, just like any other business. The statement implies that we actively recruit youth. Nowhere do we recruit as in politics. In no publication that bears our name have we sought recruits. Such statements serve to undermine our credibility as a business with respectable, law-abiding practices.

Most of the music played by our bands does have strong political messages. We do not believe in censorship of any kind and we stand by our First Amendment rights. We do not endorse any particular political ideology in any official company writings or otherwise. Many businesses use profits to support various social causes from saving wildlife and the environment to the United Negro College Fund. Whereas we choose to direct our finances toward securing a future for white people.

I object to the author's use of the term "white supremacists." Although a media buzzword easily used by those with minds completely devoid of the higher functions, it is usually used out of context. "Supremacy" involves the conquest and rule of others. Nowhere do either myself or any of those associated with Resistance Records demonstrate such views. If anything, "separation" is our motto and proposed solution to any racial or ethnic strife in this world. A thinking mind would use the label "white separatist," as it is a more fitting and accurate title.

To all other would-be journalists, sensationalists, and aspiring hack artists, please pay a little more attention to detail. Thank you.

Article Seen as Example of Hate

By Tom Blair

As a new member of Aryan Nations, I take strong exception to your biased article "Organized Hate in America." I have never committed a crime (and so long as our freedoms of religion and expression are protected in America I never will). I am a good neighbor, a good husband, and a good father. I have an Ivy League education, own a home, and I take an active interest in my community. I do not hate anyone; but when I joined Aryan Nations, I discovered that I am hated by some very powerful people in this country. Your article is the clearest example I can find.

The impression one gets about us from your article and the reality I saw at the recent Aryan Nations World Fest are vastly different. There I met hundreds of people—young, old, American-born and immigrant, Catholic and Protestant, and a thousand other varieties. There were men, women, and children—families. These are hard-working people who love their communities, their people and our history and who are angry at the on-going destruction of America's social fabric by the Federal Government.

Religious doctrines such as Zionism, separatism, election, chosenness, and nationhood are widely embraced within American society (and probably by many within the Civil Rights Commission). I claim that your objection to us is not for embracing these doctrines, but for the people in whose name we embrace these doctrines. We in Aryan Nations have the same right to define our people and to be Zionists for our people as Jews do for theirs. ...

You quote us out of context—for otherwise our quotes would be no different than what one would hear in a synagogue or a mosque in the name of a different people. Richard Butler's "divine protection to hate" is from the Bible: "(you are) to hate the evil and love the good." ...

It is hypocritical for the Civil Rights Commission to complain about the racial basis for our definition of "nation." You are all about race. When old-line white conservatives used to say that we should unite as Americans, your organization (and many like it) wanted to talk about "diversity." You wanted to emphasize our differences—and you wanted to pass laws ensuring that those differences be given legal sanction and cultural recognition. But when we want to talk about diversity, embracing our ethnic nationhood, you want to talk about unity. I am sorry to see America balkanizing itself. I never would have wanted it this way when I was younger. But you people have been pushing hyphenated-Americanism, ethnic separatism, and multiculturalism for decades; not us. We have to live in this society and we have the right to play by the same rules.

I'm sorry that a few alleged members of Aryan Nations committed some crimes a decade ago. But Jews, Catholics, and Episcopalians also commit crimes and you do not smear them all for the actions of a few. ...

Editor's note: *The Commission is an independent, bipartisan, factfinding agency charged with a variety of functions relating to discrimination or a denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice. Although the Commission respects the right of Tom Blair to his opinion on the policies and practices of the Commission, it expressly rejects the factual inaccuracies contained therein.*

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